AKWESASNE NOTES

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(October issue)

WHERE THE PARTRIDGE DRUMS

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How It Is With Us

AKWESASNE NOTES was born and continues to survive with a struggling spirit of its own because of the strength and power of those who have remained natural human beings, or those who are willing to defend them.

We have desperate problems of too few hands to do the work, financial burdens, limited facilities, crisis situations which sap our strength. And yet, each new issue, each new publication, brings some small hope back. In September, we received the first 4,000 copies of VOICES FROM WOUNDED KNEE, an exciting book which lets people know how lives can be committed to bring about change.

And as this issue was about to go to the printers, the 1975 calendar came in – a beautiful wall-hanging that took the combined effort and talent of many persons.

While we are grateful for our good fortunes, we also know that we do a miserably poor job. This issue is late, as usual, simply because we couldn't complete it any sooner. Many things are happening about this land and in this world that we want to tell people about – but we will have to wait to get another issue together for those left-out things.

Some of our failings, no doubt, would still be with us if we had all the help and equipment we would dream of. But now the paper gets produced mainly between trips we make to raise funds for new publications – we had to work enough to obtain $10,000 to get the Wounded Knee book out, for instance.

Books that have been "in progress" are delayed largely for the lack of typists and editorial assistants. We could get our materials out to more people with a good promotion person. We need a financial wizard to keep us solvent, keep accounts, collect bills, make purchases. The matter of help becomes more complex when helpers have to fit into an existing NOTES community, as well as the larger Akwesasne community – as well as having fairly sophisticated skills.

But we have been fortunate and grateful for the many gifts that have helped us to survive now. Especially, we are grateful to a friend human being for making available to us land and a house in the traditional Akwesasne hunting grounds in the Adirondack mountains not too far away. We have hopes that there we might grow slowly into a living community of people who want to live in harmony with nature and one another, and carry on the communications work. But we are moving cautiously to learn the ways of that land, and how we can relate ourselves to it and those plants and animals already living there.

We also have need for maintenance persons/carpenters to make repairs, build shelves, and to keep us moving. Often we must choose between making a repair, or typing up an additional page.

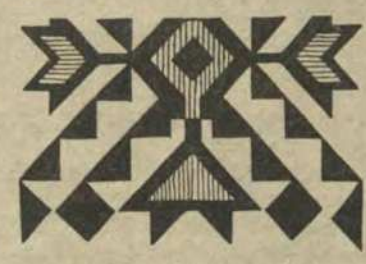
We owe a special apology to the people who have written letters which we just have not been able to answer. Yet it is you who so often give us inspiration to keep going. Someday, perhaps we will be able to reply. In the meantime, even "urgent" letters must wait.

We are using two new bits of technology to help us. A computer-composer on which this issue and the last were typeset saves us much painstaking labor. An addressing machine has led us into converting to a new mailing system. With luck and much human labour still to be done, this system should reduce our mailing time from 6-7 days to 1-2 days.

The machines have not displaced any persons – they have just reduced the routine labor for the people we have. Still, we are wary, lest the machines master us before we master them. If there are errors in addressing – please let us know where we have slipped.

We owe a special thanks to Glad Day Press people in Ithaca, New York, who have been laboring long hours to produce our books, calendars, pamphlets, stationery, posters. Much of the printer's task is even lonelier and more drudging that the writer's – yet it is they who, with little reward, enable us to reach as many people as we do.

More and more people are sending in their own writings and tapings, as well as clippings and research material. Even if we have not used what you last sent us, please don't stop now. Much of the material that appears in NOTES is accumulated over months and years of research.



We are grateful to all you people who help us in so many ways, and we hope we help you in return to keep the cycles going.

– from the people whose full-time lives revolve around NOTES at Akwesasne, including Connie, Doug, Rarihokwats, Karoniaktatie, Susi, Kanatakeniate, Coyote, Kaherehare, Raosennawane, Kahratohen, Francis Estrella, Katsitsiakwa, Debbie House, Tsewaa of the Tewa Nation, Karonhianoron, Dorothy Thomas, Snowbird and Dorothy, Mickey Posluns, Louis and Lang of the tapes crew, Martin Miebauer (visiting from Germany), plus Vance the Cheyenne, Vernon of the Anishnawbe Crane Clan, Gayle High Pine now finding roots in the west, Juan Reyna and our teacher, Juanito; Rokwaho, and many more in and out during the past six weeks.

AKWESASNE NOTES
WHERE THE PARTRIDGE DRUMS

AKWESASNE NOTES is the official publication of the Mohawk Nation at Akwesasne (People of the Longhouse) and contains (from time to time) the Longhouse News, the official publication of the Mohawk Nation at Caughnawaga.

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DO YOU HAVE A RED LABEL?

Look at the front page – check your address label. If it is marked in red, this is the last issue you will receive unless we hear from you. We hope you won't be angry – this is the only way we have of cleaning up the mailing list every so often since there are no paid subscriptions.

This month, it is many of those whose zip codes begin with "2" and "3", plus British Columbia and some European nations who will have red labels. ALL YOU HAVE TO DO IS WRITE TO US if you are red-labelled, and your name will be re-instated. This is not an appeal for money, although this might be a good time to renew your support.

WRITERS! Ever wonder where all the material in NOTES comes from? Someone sends it to us. We notice a lot of writers on Indian subjects sending in material to establishment papers and magazines, and that's cool – but if you want material to reach a wide audience, NOTES can do a pretty good job too. We will receive your written contributions with much thanks.

TO SUBSCRIBE

There is no fixed subscription price. But that does not mean this paper is free. Printing alone for this issue costs over $4,000, and typewriters, ribbons, postage, glue, etc., will add another $1,000 – and that doesn't include costs of keeping full-time staff alive.

Some people have lots of money, others have none. If you want the paper, we'll be glad to send it to you. If you want to help with the costs, we will appreciate that – that's the Indian way. Make it work.

Another issue will be ready for mailing as soon as funds for printing have been received. And since we have no grants, no other sources of finances, we must depend on you, the readers for our survival

HELP US TO DISTRIBUTE AKWESASNE NOTES

. . . ask your local/college bookstore or newsstand to carry a few copies . . . leave some papers at a food co-op, daycare center, workplace, tribal office . . . sell the paper on the reservation, at Indian meetings, church, on campus, on the street. We'll send a bundle on consignment and you send us 35 cents for each copy sold. Or order a packet of 6 for $2 prepaid or 20 for $5 prepaid. GET THE WORD OUT!

NEEDED FOR NOTES:

- towels, sheets, pillowcases
- used tarps, canvas, rugs
- tools of all kinds, especially wood-cutting tools, saws, axes, wedges
- maple syrup making equipment
- seeds and roots for planting
- a ditto machine
- what have you?

Keep Us Strong!

This paper cannot exist without the support of its readers – you, the human beings who read these words. There are many ways you can keep the paper alive and strong:

take action on what you read. Write letters, think, give support, change, lend spiritual help.

send clippings from your local papers. If there is a good photo, try to get a glossy print from the paper's photo department. Date and identify all clippings.

send us your own materials – articles, essays, book reviews, editorials, letters, poems, photos, tapes. All can be returned upon request.

take the responsibility of covering an event for NOTES and send a completed article, or simply information and interviews, in writing, or on tape. We can send a press card upon request.

send us mailing lists – we will send sample copies of the next issue. How about a list of tribal members? addresses from an Indian urban center? of Indian college students?

sell the paper at a powwow, meeting, church, on your reservation, at the Indian center, in bookstores, in town, and on campus. You send us 35 cents for each paper after and if they are sold. Great for consciousness-raising, too. Educate your community.

let us know of people who should have the paper – native people in institutions, friends, anyone who may want to read NOTES.

check at your local city, county, community, university, high school LIBRARIES to see if they have a paid subscription to NOTES. If they don't suggest that they get one. Suggest too that they order books from NOTES to boost their selection of native materials.

form a committee – or go by yourself – to check bookstores, poster shops, gift stores, tobacco shops. If they don't know about our books, crafts, or smoking mixtures, tell them to write – or send us their addresses. Follow up in a month.

You can be a participant in the native causes by helping to spread the word, to create alternatives, to inform. NOTES is a part of that. You can work together with us, from your own area, no matter how far away that might be in miles. Everything in this issue of NOTES came from someone who cared to send it in. And to you all, we are grateful.

To-ta Ti-om
(for an aunt)

my aunt was an herb doctor, one-eyed with crooked yellow teeth
the Christians called her pagan witch
and their children taunted her
or ran in fear of their bible lives
at her approach,
her house of barn lumber leaned into the wind as if toppling
in winter it grew squat with snow
and bright sparks from the wood stove
hissed the snowflakes into steam
icing the roof,
"when my body dies it will be in winter just in time to see the spring"
she told this while rolling leaves
to powder between her boney hands
for her duty as a medicine person
was to cure,
in early summer grandfather and i would begin planting
the corn and beans and squash
just behind my aunt's house
and she'd hobble over to help
plant the tobacco,
as the first green shoots emerged into sunlight
she would sit on the steps
grating dried roots into a bowl
stopping every so often to gaze
at the garden,
when the time of tobacco curing came she'd be there
feeling and smelling and tasting
and every season she would approve
then later sit by the woodstove
smoking her pipe,
"Come,"she would say to me,"the time for onanoron is here,"
and she would walk to the pond
and she would point out strong plants
for me to wade to and slowly pull
those medicine roots,
we strung the roots of twisted brown above the woodstove
to preserve their sacred power
to be released as needed
by those who had need
of such strength,
tiny bundles were made of the roots with bits of string
then she named the persons
i was to take onanoron to
and tied all in a blue bandana
and said; "go",
this is for Kaienwaktatse and this for Kaerine.
Lives Close to Town
and She Bends the Boughs
a penny or two and bread and jam
I shyly ate,
the pennies slowly filled the glass jar on the table
until my aunt went to the store
a block of salt pork one finger square
a nutmeg, salt and four candies
just for me,
sitting there by the woodstove I would steal a glance
at her tired wrinkled face
and I'd want to shout loud
feeling a tightening in my throat
and maybe cry,
"she was sitting at her table with a bowl in her lap
and it was just turning Spring",
my grandfather wrote this to me
and i went somewhere to be alone
and just sat,
it's planting time again and all done except tobacco
grandfather's leaning on the hoe
and looking at my aunt's house
then he smiles and I smile back
lonely, like crying.

– Blue Cloud/Aroniawenrate
dec.23,1973

"Program for the Experimental Use of the Sodium Cyanide Spring Loaded Ejector Mechanism (SCSLEM) for Predator Control in the State of Idaho"

They make it sound so technical
so sterile and so clean
but murder of my brother
is what they really mean.
Mother earth, your children
coyote, wolf & fox
eagle, hawk and others
are blamed for killing flocks.
Flocks and herds of animals
your domestic sons & daughters –
being raised for table meat
being raised for slaughter.
Slaughter must be all they know
for coyote, eagles, sheep –
cyanide, the thing they use
to put their own to sleep . . .
in the fields of Idaho
or on the fields of war –
just who is the victim ?
and who's the predator ?
Where is the respect for life ?
Is there? There is NOT !
Everything that they can't tame
is poisoned, trapped, or shot . . .

– Bob Bacon

It is Time for Others:
A Plea to Halt the Mountain Stripping
On Cheyenne Land . . .

We opened our robes and gave you meat,
And you took our daughters and left us
With a jug of whiskey.

We opened our robes and gave you land.
And you took our sons and left
His blood stained upon our villages.

We opened our robes and gave you mountains,
And you cracked them open for gold
And left them treeless and bare.

We opened our robes and gave you law.
And you hung us by the ropes of fine print
That settles us forever in oblivion.

We close our robes and give you no more.
We have given enough, and must leave
Something for the children and the Almighty.

– Maurice Kenny

whos taken the woman
with fireflies for eyes
cant cook
cant stitch
cant do anythin
sumtimes but cool this itch

caught her in the river
thought she was a bear
she looked at me
& i saw myself in stars
she carried me across
this sky to a warm
painted lodge

now she sez the firewood
too heavy the river
too far
but shes still a bear
make med'cines
to keep me happy

woman, strike the lodge
with your one big stroke
we follow the setting sun
we forgot your sister
across the sky

****

these teeth have rattled in the
river while you stared & smiled
& gritted in the morning
to fill your thirsty belly

skins i've softened
for your boney body
baskets take shape
from teeth & hands
to hold berries roots leaves

i taste them
i test them then you
stuff your ever open mouth

these teeth are red willow stained
& shine with your silly jokes

i've teeth to cure
teeth to tease
teeth to feed
Little One Like You
mouth to mouth
i've teeth to bite
& make you hide
in your shell
you
you slowest moving turtle

– Karoniaktatie

A. WEBB-74.

Poetry People

EL GILBERT & MIKE RIVERS are the new faces for this issue's poets. We've known them through their letters and support. El writes from New York City, Mike writes from Nebraska and feels the black and native experience.

BLUE CLOUD: can't say enough good things about our brother, but we're grateful for his new poem Yellowjacket received just a day before this issue went to the printers.

FRED RED CLOUD is of Seneca heritage, living in Denver, and co-editing Mustang Review, 212 S. Broadway, Denver, Colorado 80209. He's been published many times by NOTES, and has been included in several anthologies.

DOLLY BIRD is still hoping human beings will understand their relationship with our four-legged relatives. She is to be one of the feature poets in the NOTES poetry anthology that is in the mill.

BOB BACON, a prolific & witty writer, often biting but always close to home & heart. He lives in Chicago – his wife and two children are members of the Lakota Nation. A collection of his writings will be in a NOTES quartet of poetry, also being readied for publication.

MAURICE KENNY writes of the old people & ways, but with a contemporary voice. He lives in New York City. We hope he has found new good health after a recent illness.

And from the last issue:

WAH-ZI-NAK is Shlacapmnqueth from the Interior of the Pacific Northwest. Other poetry of hers will appear in future issues of NOTES.

JOHN KEESHIG is of the Anishnawbeg Nation, writing from Wiarton, Ontario. Earlier poems published in NOTES have received compliments from readers.

BARBARA WOLF is a Lakota poet living in Ohio. A booklet of her poetry is published under her married name, Barbara Booth.

WALKING BEHIND: his poems in NOTES are from his book, "Song of Spirit Woman". He is Northern Cheyenne.

CEESPOOCH, or Dancing Eagle Plume, is of the Northern Ute Nation. She'll be in another issue – and we hope many more.

LEWIS BEAUCHAMP, a brother now in the Montana State Penitentiary, has been a longtime aid reader and contributor to NOTES.

St Paul Trial Ends With A Dismissal Of All Federal Charges

St. Paul, Minnesota – Although misconduct of the United States Government during the trial of Russell Means and Dennis Banks, leaders of the American Indian Movement, caused federal judge Fred Nichol to dismiss all federal charges against the two men, they and over a hundred others still face trial and possible imprisonment in a variety of other state and federal cases arising from the occupation of Wounded Knee.

The dismissal – while welcomed – was hardly a victory. The jury was not allowed to proceed to a verdict, which probably would have been "not guilty", and nothing was really proven or established in the case. The causes which led hundreds of men, women, and children to risk their lives at Wounded Knee 1973 have yet to be resolved.

In a blistering attack on the prosecution, Judge Nichol renewed earlier criticism of the FBI and said the prosecutor, assistant U.S. Attorney R.D. Hurd, had deceived him about one Government witness. "It has been a bad year for justice," Nichol said. (Excerpts from his findings are printed on a separate page of this issue.)

The trial began in January. Repeated misconduct on the part of the FBI caused Nichol at one point to say that he was on the brink of dismissal. "I have been shoved over the brink," he said September 16 from the bench as the trial concluded.

Nichol's ruling came on a defense motion filed over the weekend claiming fresh Government misconduct. It was issued shortly after Hurd, acting on instructions direct from the Justice Department in Washington, refused to go along with an 11-member jury when a doctor reported that a juror who became ill on the day before would not be able to resume deliberations. Hurd had said, mistakenly, that the juror, Therese Cherrier, 53, was the "most prone to convict."

In opening his 70-minute address to the jury and a packed courtroom, Nichol explained that Ms. Cherrier had suffered a stroke and partial paralysis of her left arm and leg. He was obviously upset by the necessity to chastise the Government. He called the decision not to accept an 11-person jury "incredible."

When Nichol announced his decision, spectators gasped. Others began applauding spontaneously. Chief prosecutor Hurd sat at the U.S. Attorney's table, his face in his hands as Nichol delivered his rambling statement, alluding to Watergate, his disillusionment with the Ford administration, his own opposition to the Vietnam war.

While Hurd told newsmen he thought the court was wrong, defense attorney William Kunstler told the throng of friends and supporters outside the courthouse, "I think today was a blow for freedom for everyone. If this isn't a clear warning that someone must begin the cleansing process in America, then I don't know what a clear warning is."

Kunstler said the ruling was made by a judge who was "converted during an eight-month trial." Initially, Nichol had been testy toward the courtroom behavior of the defense team, but gradually he became irritated at obvious Government misconduct.

When Dick Wilson, Oglala tribal council chairman and arch-foe of AIM, heard of the decision, he said there had been "a total breakdown of the judicial system." He added, "Judge Nichol is a member of AIM."

Judge Nichol probably would have agreed that the judicial process had suffered, but for different reasons. He said that the FBI had "stooped to a new low." He said that the function of government prosecutors was not to convict defendants, but to seek justice – and, he added, if the Government wanted justice it would have let 11 jurors decide the case.

Banks and Means each faced three counts of assault on Government officers, one of conspiracy, and one of larceny. Each could have been sentenced to up to 85 years imprisonment. Five other charges against each of them had been dismissed earlier in the trial.

Nichol said one of the reasons he had hoped the case would have gone to jury verdict was that an acquittal might have caused the Government to drop charges pending against the more-than-one-hundred persons still awaiting trial.

The involvement of the military in the siege on Wounded Knee also caused the court concern. "We don't want the military running the civil affairs of this country," Nichol said.

While native spectators and supporters jumped with glee in the courtroom, Hurd and the government lawyers marched angrily back to the judge's office, but marshals kept reporters from getting close to their conference.

Hurd will probably be the prosecutor to press federal charges against Banks and Means as a result of other demonstrations last year. He said that he planned to do that regardless of the outcome of the St. Paul trial. He said that the government misconduct had not jeopardized a fair trial, and that the government had exercised a legitimate option in deciding against proceeding with 11 jurors.

The Justice Department thought Hurd, 33 years old, did a good job. It awarded him and his associate, David Gienapp, the distinction of being chosen as two of the outstanding young assistant United States Attorneys in the U.S.

Hurd is somewhat bitter over the trial. "I expect by the time I am 43 that I'll be a better trial lawyer than Bill Kunstler," he said.

"One of the problems which Hurd faced was that the Government indicted Russ and Dennis first, and then set out to get the evidence," said defense attorney Ken Tilsen, whose St. Paul office was the nerve center of the Wounded Knee defense team.

Although there were up to 300 persons inside Wounded Knee at one time during the siege, the 140 or so who were closest to the action were all indicted by the Government, thus precluding them from being witnesses for the prosecution.

Dennis Banks. . . back to the movement

"It's only firmed up my belief that Indian people as a sovereign people belong in the international community and not in the Interior Department along with the Bureau of Mines and Bureau of Reclamation," said Russell Means. "The only thing I've gotten out of this trial is a furtherance of my belief that the Government is crooked. But Indian people have always known that – they've always dealt with corruption at the BIA level. [Now] the white man has experienced it at the White House level."

Means noted that Dennis Banks and himself had more faith in the judicial system than did the government, since they had been willing to go along with an 11-person jury. "The Government doesn't want the people of this country to decide the guilt or innocence of [former U.S. president Richard] Nixon. And now the U.S. Government has stepped in again and won't let a jury decide the guilt or innocence of Dennis and myself. It's really sad."

At the beginning of the trial, Judge Nichol – who wa appointed to the Bench by President Johnson – seemed intent on not allowing himself to be impressed by Mark Lane and William Kunstler, whose reputations of involvement in political trials and issues had preceded them to St. Paul. Even before the trial started, the attorneys were ejected from the courtroom for arguing against one of his actions. But he later apologized, saying he had been wrong and they had been right.

Toward the end of the trial Judge Nichol told Kunstler that he could not understand how Kunstler had gotten the reputation of being a disruptive trial lawyer. And he told Lane, "You're the best investigator in the United States."

While Kunstler and Lane have done most of the courtroom work, much of the preparation has been by three local lawyers – Ken Tilsen, Larry Leventhal, and Douglas Hall. They were assisted by a team of volunteer legal and paralegal workers in the Wounded Knee Legal Defense/Offense Committee (WKLDOC).

The prosecution had rested its case on July 24. There were various defense motions to be heard, and then the defense case itself would begin.

The after eight months of the prosecution case, the defense moved surely and swiftly. It presented only five witnesses, and then rested. The court and prosecution were taken completely by surprise.

The defense was closed by Russell Means, who announced to the court, "We believe that the story has been told. We stand on our treaty rights. The defense rests." The five witnesses who testified were author/historians Vine Deloria, Jr., and Dee Brown, plus Pine Ridge residents Frank Kills Enemy, Agnes Lamont whose son was killed during the siege, and Gladys Bissonette.

The fact that neither Banks nor Means felt it necessary to give evidence in their behalf was a disappointment to Hurd. He had said privately that the defense was "obligated" to call one or both of the defendants to the stand, and he expected his cross-examination to be a major portion of the prosecution case.

Agnes Lamont described conditions at Pine Ridge and told why Wounded Knee happened. She told of the arrival of federal marshals in Pine Ridge long before the occupation began, and how she had to move young boys out of a residential dormitory in order to house the marshals.

Mrs. Lamont, the mother of Buddy Lamont who died during a firefight by the U.S. during the siege, told of the last time she saw her son, and asked the court, "Why did the Government kill my son?"

The last witness to testify was Gladys Bissonette, an active leader of the Oglala Sioux Civil Rights Organization [OSCRO]. She described the continual harassment she lived under on the reservation, the constant physical violence, and how OSCRO had exhausted all legal channels in an attempt to change the situation.

She told how an additional 70 marshals had arrived at Pine Ridge February 13, 1973 – 14 days before the occupation began. She said neither the BIA nor tribal officials would say why they were there. She told how a group of people, mostly women, called a meeting of the civil rights group at the neighboring village of Calico. She said the group held meetings daily from then on until the occupation began. "We wanted to find a way to get some straight answers about the marshals and the goon squad of [Dick] Wilson's," she said. "No one would tell us anything."

AIM's help, she said, was requested as the only recourse left to the Oglalas at a meeting attended by the nine traditional tribal leaders of the reservation and approximately 500 Oglalas on February 26, 1973. Bissonette testified that Russell Means had "no alternative but to listen to the chiefs. No one else had listened to us on the reservation. There was no law. . . We had no choice. We meant no violence.

Agnes Lamont now a spectator in the courtroom after she gave her testimony, broke into tears and began crying out ithe courtroom as Gladys Bissonette described that "awful rifle fire" directed into Wounded Knee by federal marshals on the day her son was slain.

Mrs. Bissonette also broke into sobs on the witness stand, and many spectators began to cry. Jurors choked back tears. The judge adjourned the court quickly for an early morning recess.

Although the defense had said at the start of the trial it might call 341 witnesses, it was the testimony of Gladys Bissonette that caused them to decide to rest the case. "Anything else would have been superflous," Kunstler said.

Defense attorney Mark Lane said Mrs. Bissonette's testimony covered every area the defense had hoped to cover. "I've been a lawyer for 24 years, and I've never seen a witness like that," he said.

Gladys Bissonette testified with her grandfather's pipe in her hand.

"This pipe was given to the Indian people," she said. "It was a rock given by mother earth and means life and hope is to be upheld by the Indian people. It is a very sacred thing to use for Indian people."

It was on such a pipe that Sioux chiefs pledged their honor in 1868 when they agreed to stop military raids on white settlers in return for the U.S. guaranteeing them the western half of South Dakota, and parts of Wyoming and Montana.

Gladys Bissonette. . . "life and hope for the people"

Frank Kills Enemy, now 80 years old, whose own grandfather, Red War Bonnet, had signed the treaty, testified how they had believed the U.S. "When Indians made a treaty, they smoked a pipe, a peace pipe. The pipe is sacred, and when you smoke it, you cannot lie. So they think the white men tell the truth . . . but every treaty is broken. Eight years after the 1868 treaty, Custer is back."

Kills Enemy also told of how the reservation land was divided up by cattlemen after the 1934 Indian Reorganization Act was imposed on the reservation. The effect of the division was to devastate the Oglala communal way of life and to destroy what was left of the economic base.

Today, Kills Enemy said, native people get no justice from the federally-recognized tribal governments, or from the Federal Government. The seizure of Wounded Knee, he said, was a cry for help.

"We can't turn to nobody for help," he said. "We want help on our treaty."

Deloria and Brown explained the historical significance of the 1868 treaty to the sovereign Oglala Sioux Nation. Although the U.S. contends that the Oglalas are no longer a sovereign people, the U.S. has never made treaties with any but sovereign nations. Although the U.S. violated the treaty almost immediately, it was regarded by the Oglalas as having been made for all time.

Dee Brown, 65, a retired librarian at the University of Illinois, testified that he wrote *Bury My Heart At Wounded Knee* to counter books that implied that American Indians were treacherous, did not like to tell the truth, liked to kill.

Kunstler quickly moved toward questions about treaties between native nations and the U.S., asking whether Brown thinks Indians have met their treaty obligations. Hurd objected. Nichol overruled the objection, qualifying Brown as an expert witness.

Brown testified that his research shows that native people respected their treaties as sacred, and regarded their signature as a "very holy thing." Kunstler asked whether Brown's research shows treaty violations by the U.S. Again Hurd objected. Again he was overruled. "The Federal Government violated almost all the treaties," Brown said.

Kunstler then asked whether Indians might believe the Government still was violating the 1868 treaty in February, 1973, when the occupation began. Hurd objected to the question and again was overruled. Brown answered yes.

Brown also testified that Indians have tried in several ways to protest federal violations of Indian treaties, but he said he thinks none of the normal means of protest have been effective.

Deloria, director of the Institute for the Development of Indian Law and author of a number of books on native thought, said he "cannot give you the name of any Sioux Indian I know" who does not feel that the 1868 treaty has been violated by the U.S.

Deloria was born on the Pine Ridge Reservation, and spent most of his childhood and youth there.

The conduct of the FBI was one of the focal points of the defense. During the trial, the following was disclosed:

— that FBI agents rented an apartment next to the one occupied by defense lawyers in Rapid City, South Dakota, last year, and then testified it was purely coincidence.

— FBI agents installed a secret extension on a telephone being used in Wounded Knee by the defendants, and then testified that there was no listening device on the phone.

— documents that FBI agents testified had never been prepared turned up later in Justice Department files in Washington.

While testimony was being given into FBI misconduct involving prosecution witness Louis Moves Camp, Kunstler jerked open a door that was slightly ajar, and two FBI agents fell sprawling into the courtroom.

Judge Nichol said that if the FBI was so interested in finding out what the testimony was, it should send agents into the courtroom to listen and not to station them secretly behind doors.

It was from Moves Camp that the most damning evidence was given. He was a rebuttal witness to the defense case. Until then, no witnesses had really tied either Means or Banks into any of the Wounded Knee action.

Moves Camp's evidence tied the two defendants into every charge against them. Yes, he had seen them loot the trading post, occupying bunkers to prevent entry by Federal officials, directing a group that allegedly wounded an FBI agent. Means not only had ordered an attack on an armored personnel carrier, he said, but that he had fired the first shots. And when Marshal Lloyd Grimm was received a paralyzing bullet wound on March 26, Moves Camp claimed he saw Means express pleasure.

Moves Camp maintained, among other things, that Means and Banks had met with residents of Wounded Knee who were taken "hostage" the night the occupation started. Means talked to them harshly, he said. But earlier in the trial, the hostages themselves testified that they saw only Banks, and that they were treated courteously.

One day of the trial in particular was filled with drama, hysteria, and temper. It began on the latter note when Judge Nichol grew irate because Means arrived 40 minutes late for court. He said he had overslept. The day previous, a session of court had to be cancelled because Means called in to report car trouble out of town.

It was when the court called the usual morning recess at 11:15 that Ellen Moves Camp, mother of the witness, rose from the audience and strode into the courtroom well. She had been inside, cooking and negotiating, throughout the entire 71-day occupation.

"You're a liar," she screamed at her son. "What did they do to you to make you lie like this?" she shrieked. "Why did I bear you?"

Meanwhile, a freshly-angered judge called defense lawyers into his chambers where he accused them of staging the whole dramatic scene. He changed his mind later after talking with Ellen Moves Camp in his chambers.

When Moves Camp resumed his testimony, he grew increasingly nervous, drinking water after each question. He appeared to grow more and more confused about dates, times, places of meetings that preceded the takeover. At one time, he asserted that Kunstler was "trying to put words in my mouth" and the lawyer shot back: "That's already been done by others."

Louis Moves Camp

. . . a traumatic experience

The chastizing by his mother so unnerved Louis that he was unable to continue his testimony. Judge Nichol recessed the trial in mid-afternoon, advising the jury that the witness had suffered "a traumatic experience" and that he would resume his testimony the next day.

After his mother's emotional outburst in the courtroom, he asked Judge Nichol to arrange a family meeting. There, they smoked the pipe, talked, and laughed. They did not discuss the trial. He told reporters his mother had told him, "I love you — but you hurt me." Also present were two of his brothers — Jimmy Dean and Sam, his sister-in-law Eileen, and Judge Nichol.

But then defense attorneys found that Moves Camp had been paid more than $2,000 in witnesses' expenses, and that FBI agents had wined and dined him at a plush dude ranch for days, and then had to spirit him out of Wisconsin to give his testimony — on the heels of charges by a teenaged girl who told police that Moves Camp had picked her up and raped her after he had spent a night visiting taverns with his two FBI agent/companions.

Moves Camp had been in the company of two FBI agents, Ronald Williams and David Price. They had been bar-hopping together, and Moves Camp asked if he could bring a girl back with him to the plush dude ranch where he was quartered by the U.S. They said no, but that he could go out on his own.

Moves Camp then left with the 18-year-old woman to visit other bars in River Falls with John Teschner and his girl friend, and then the four went to Teschner's mobile home near the University of Wisconsin/River Falls campus. Defense attorney Mark Lane said Teschner left his home with his girl friend during the night, and returned about 7 a.m. August 16. The alleged rape victim came outside and said she had been raped.

According to Lane, Teschner then drove the woman to the home of Ray DePerry, director of the Native American program at the university. He said Teschner and DePerry summoned a nurse, and that the woman was examined later by a doctor. It was said that she had bruises on her neck, arms, and legs.

Police picked Moves Camp up on a River Falls street that morning, and apparently unaware of the alleged rape, released him to the FBI agents. When the woman made formal complaint, Lane said, the FBI agents interceded on Moves Camp's behalf and convinced authorities not to file charges.

Robert Lindsay, district attorney of Pierce County, Wisconsin, told the court that the reason he hadn't prosecuted was because he lacked evidence. However, Sgt. Carlyle Schrank of the River Falls police department, which investigated, said he hadn't even questioned Moves Camp after the complaint was filed because "I have never really been involved in something like this before." He said the FBI men had told him that Moves Camp was "an important prosecution witness" but he said this had nothing to do with his decision not to interview him.

Schrank said he called the FBI at the JR Ranch near Hudson, Wisconsin, and agent David Price came into River Falls to discuss the situation.

Price returned to the ranch, whereupon he, his colleague, and Moves Camp immediately split for Minnesota, thus removing him from the state of Wisconsin. Under questioning by defense lawyer Mark Lane, Price conceded that when he left River Falls that afternoon, he was aware that rape charges against Moves Camp were under consideration.

When Mark Lane showed Moves Camp a posed photograph taken April 12, 1973, at the Wounded Knee trading post (it appeared in AKWESASNE NOTES), Moves Camp said the reason he wasn't in the photo was that he was standing across the road, watching. Under questioning, though, he had to say he could not remember who the photographer was, what the photographer looked like, where the photographer was standing, or why the photograph was taken.

Moves Camp said he thought the photo had been taken by a tall man with red hair, but Lane, who was in the photo, said the picture was taken by a woman no more than five feet tall who stood onthe hood of a car. (She is Lou Shafer, who has been associated with AKWESASNE NOTES in the production of the new Wounded Knee Book.)

Moves Camp also testified that Means had been "very happy the marshal was shot" — the shooting of U.S. Marshal Grimm is one of the three assault charges against the defendants. But the shooting happened March 26 — and defense investigation showed Moves Camp wasn't even in Wounded Knee at the time. In fact, he was in California giving pro-AIM speeches on television.

Moves Camp had testified he was in Wounded Knee throughout the occupation. But Ted Hughett, head of Monterey Television Cable of San Jose, California, came as a witness to produce logs showing Moves Camp had appeared on a television talk show April 23 and 26 to answer phone calls about the situation at Wounded Knee. Hughett said he had seen both shows.

Then Fern Mathias of Milpetus, California, a federal employee with top secret clearance, testified she met Moves Camp April 7 at an Indian Culture Day in a San Jose high school, and that for a short period around Easter, he lived at her home.

She also identified a picture in the San Jose State College newspaper showing Moves Camp speaking at a pro-AIM rally April 24.

(Continued on next page)

Jay West of Manderson, South Dakota, testified that he was living in Salinas, California, and that he met Moves Camp in San Francisco about St. Patrick's Day – March 17. He said he saw Moves Camp frequently until late June.

Although Moves Camp denied he had made any deals with the prosecution, defense attorney Larry Leventhal said he doubted if Moves Camp would now have to do "one day of time" in connection with five felony charges he faces in South Dakota – all of the charges are unrelated to Wounded Knee.

Judge Nichol noted that Moves Camp, 22 years of age, had "come forward at a late hour" to testify against Banks and Means. Moves Camp testified that he phoned FBI agents August 5 and volunteered to testify. His trials in South Dakota on assault and robbery counts were scheduled to come up September 4.

U.S. Judge Fred Nichol . . . over the brink

Finally, on the last day of testimony, prosecutor R.D. Hurd took the stand to say that the only offer he knew of made to Moves Camp was that he could be relocated to Huntsville, Alabama, and that the U.S. would fix him up with "a new identity." Hurd said that Moves Camp finally decided to reject the offer.

Minutes before Hurd testified, Moves Camp's 19-year-old wife, Gayleen, was called to the stand by the defense. She said Moves Camp told her last month that the U.S. offered to drop an assault case pending against him, plus giving him a house, a job, and $200 a week – if he would testify against Means and Banks. She said her husband had told her that he had been in Wounded Knee for a week or so.

His mother, Ellen, was also called as a witness. She said that Louis, the second-oldest of her six children, went to California the day he left Wounded Knee and did not return until after the occupation ended.

In a press conference called by Moves Camp, he said that he does not regret participating in the Wounded Knee occupation, but that he criticized AIM for "hurting the Indian people by their violent activities." He also accused AIM members – particularly Means – of hypocrisy because he said they preach against the use of alcohol and then spend large sums of money for parties at which alcohol is consumed. He said that he did, however, respect Dennis Banks.

He said he believes AIM has benefited native people by calling the attention of others to Indian grievances, but he said the good was outweighed by AIM leaders having "ripped off, cheated, lied, and stolen from their own people."

Means noted that when Moves Camp was in jail in Rapid City last February, he wrote a letter to the editor of the local paper. The letter, introduced in evidence, urged Oglalas to vote for Russell Means for tribal chairman, "for then, the Oglala Sioux people shall begin to rise from poverty and go on to become a great nation."

During the cross-examination of Moves Camp, he was being questioned by Kunstler about a statement he had signed for the FBI which said he had been present at a meeting during the occupation of Wounded Knee in which there Means and Banks had conferred with representatives of several other countries, including China, Czechoslovakia, West Germany, East Germany, Russia, and Italy.

Moves Camp was upset when Judge Nichol read into the record an FBI statement Moves Camp had signed in August. He said under questioning the FBI had agreed that his statement would be kept confidential.

Louis Moves Camp had signed a statement saying that Communists from six nations had promised arms and ammunition during the Wounded Knee occupation. It said the Communist representatives came to Wounded Knee posing as newsmen and made an unfulfilled promise to supply the native occupation force with military power.

The statement went on like the script from a B-movie, saying the Communist representatives said they had been "authorized by higher authorities" to give the supplies to AIM if the U.S. did not honor native treaty rights. It said money was given to Banks and Means, who in turn "thanked the countries for their support."

Kunstler started a question, "Are you telling me that West Germany and East Germany sat down together . . ."

The question evoked giggles in the courtroom. Nichol angrily order marshals to clear spectators from one row of seats. When the marshals hesitated, Nichol repeated his order. Marshals approached the spectator on the aisle side of the row, AIM leader Vernon Bellecourt, unsuccessfully trying to persuade him to stand and leave, then five of them lifted and carried the hefty Bellecourt out. They repeated the procedure with a young woman seated next to him.

Marshals next pulled Vernon's brother, Clyde, to the aisle, where he began to resist. Other spectators came to assist him as Bellecourt fell to the floor, and fistfights erupted. The disturbance lasted about 30 seconds. One marshal sprayed a can of chemical mace toward spectators, but inadvertedly hit another marshal in the eye – he was led from the courtroom with his hands to his face.

Meanwhile, Nichol was arguing with attorneys, who said the judge had overreacted to the murmur of laughter. "Judge, you brought this on," Kunstler said.

"I did not bring it on," Nichol shouted back. "You brought it on and you know very well you did, Mr. Kunstler." Nichol ordered a spectator taken into custody. "Mr. Kunstler, one more word out of you and you're going to join him!" he added.1

"I don't care whether I do or not," Kunstler said.

"Mr. Kunstler!" Nichol shouted. "I'm asking that the marshals take charge of Mr. Kunstler right now!"

Lane followed Kunstler. "I don't mind going with him at all, your honor," he said. "I would rather go with him than stay here."

Defendant Dennis Banks stood and told Nichol he was "getting like Judge Bottum" – the state circuit court judge whose Sioux Falls courtroom was the scene of a police attack on native spectators during an April 30 hearing.

Moments later, the jury was excused from the courtroom at the suggestion of the prosecution. Soon after, Nichol recessed court.

Lane said that when he was taken from the courtroom to an office on the sixth floor of the federal courthouse, he was struck in the left eye by a marshal. Lane said he was seated on a chair when he was hit. He said the marshal threatened to "work you over, you son of a bitch, so that no one will recognize you." A doctor summoned to Lane's jail cell said there was no serious damage, but "I'm sure he's going to have a black eye in the morning."

Kunstler said no apologies were made by anyone, and "everyone regrets what happened." He added, though, that he hoped the jury saw the whole thing – "some Indians were brutalized who didn't even do the laughing." Kunstler said it was "tragic to see this happen in a federal court."

When he made his final summation, Hurd's face twitched with anger when he noted the defense had criticized him for this statement – he angrily told the jury that it is common practice for defense attorneys to attack prosecutors when the defense case cannot be won on its own merits. He said it was ludicrous to compare the Wounded Knee occupiers with labor union leaders who fought for the working man. Participants in Wounded Knee were, he said, "a bunch of hoodlums who represent the few American Indians who are willing to use violent acts and crimes to bring about what they see as desirable changes."

Hurd accused Banks and Means of leading a criminal conspiracy in which innocent residents of Wounded Knee were intimidated, terrorized, and driven from their homes. Hurd delivered his comments to a half-empty courtroom. Partly because they feared Hurd's comments could prompt a courtroom incident by angry Indians, the supporters of the defendants asked native people not to attend that session of court.

"I don't care – and I submit to you it doesn't make any difference – if conditions on the Pine Ridge Indian Reservation are good or bad," Hurd said as he opened final arguments. "I don't care if the 1868 treaty was violated or was not violated by the United States."

The defense referred often to Hurd's "I don't care" attitude as typical of the response native grievances receive. They said it was the people who said "I don't care" who helped trigger the siege on Wounded Knee. "Dennis Banks and Russell Means do care," Larry Leventhal told the jury.

Defense attorney Douglas Hall told the jury that Hurd's statement embodied the entire history of white-Indian relations. "That has been the attitude that Government has exhibited to Indian people . . . as long as Indian people can remember."

Kenneth Tilsen opened the defense statements by suggesting that the trial is "a foreseeable consequence of the acts of all of us. . . of the arrogant assumption that America was discovered in 1492."

Tilsen said United States people have inflicted "continuing genocide" on native people, daopted the notion that agreements with native nations "could be broken at will" and imposed what he termed "the exalting egotism of American civilization" on native peoples. "It seems clear that all of Indian America is observing this trial and watching your actions with anxiety and with hope," Tilsen told the nine women and three men on the jury.

After Kunstler finished his oration, the prosecution apologized for not being so eloquent "because of the press of time" and told the jury not to decide whether the take-over of Wounded Knee was right or wrong, but whether crimes were committed.

Hurd called for a conviction, declaring the law cannot tolerate "violence and terrorism."

William Kunstler, Russell Means, Dennis Banks, Mark Lane

. . . putting the government on trial

When Judge Nichol, Tilsen, and Marge Ratner, a friend of Kunstlers and an attorney who flew in from New York after Kunstler was jailed, reached agreement on the wording of a statement, the judge ordered the jailers to release Kunstler and Lane to Tilsen's custody so the judge could meet with them.

Since there were no federal marshals available to drive the lawyers from the St. Paul jail to the Federal Courthouse, Judge Nichol borrowed U.S. District Judge Miles Lord's car, which was parked in the courthouse basement garage, and he and Tilsen picked them up.

Tilsen said the judge wanted to meet with the attorneys before they talked to reporters, apparently to try to avoid a hardening of battle lines itheir public statements that might have resulted in an inability to reach agreement on the statement to be red in court.

The jury went out September 12. It met in a seventh-floor room at the federal courthouse in St. Paul, and spent its nights at the Hilton. The next day was Friday the 13th.

That evening, there was a "victory party." Two jurors and two alternate jurors joined the celebrants. Dennis Banks climbed onto a table at one end of the room to introduce them, telling the cheering crowd: "I want to recognize the real jury in this case – everyone here."

The jury had voted 12 to 0 not to convict the defendants on the conspiracy count, and were locked 8 to 4 in favor of acquittal on the larceny count when deliberations were halted by Cherrier's stroke. There were no formal discussions on the three assault charges.

Therese Cherrier, the juror the Government thought would be most like to vote for conviction, actually supported acquittal. According to her husband, she felt "very bad" about having become ill and "wanted to return to convince the other jurors of an acquittal."

That meant that at worst, the case would have been deadlocked. One juror who would have voted not guilty, Susan Overas, 19, told reporters she was going to work for the Wounded Knee Defense/Offense Committee. Defense attorneys and defendants met the jurors as they checked out of the Hilton Hotel. Some jurors embraced the attorneys and defendants, congratulating them for winning.

"The Government goofed up," juror Richard Garcia said. "There wasn't any evidence on any of the counts." He told William Kunstler, "Whenever I get into trouble, I'm going to call on you."

James Putnam, 22, a senior at Winona State College, said he would probably have voted to convict on two counts, and he said the defendants were probably guilty of all counts "but the government didn't prove it." Putnam agrees with Nichol's sharp criticism of the FBI: "I think the FBI was as crooked as it could be from beginning to end." He received 16 college credits in political science for serving as a juror.

Seven of the jurors and three of the alternates who heard the Banks/Means case sent a letter to the U.S. Attorney General asking that the Justice Department not appeal the dismissal of charges against the two men. The jurors' letter also asks Saxbe to dismiss charges against other persons involved with the occupation.

The jurors' letter said in part, "We wish you to know we could not have voted to convict either of the two defendants on any of the charges . . . because there was not enough evidence to do so. In our view, a government that cannot in aneight-month trial present enough evidence against the two leaders of the Wounded Knee siege to secure a conviction on any count should for moral and ethical reasons drop the criminal charges against all the other Indian people and their supporters."

They said it was "in the spirit of reconciliation and redemption that we urge you to respect this gesture and to join with us and other Americans in an effort to bind up the wounds that have been caused by this, our longest and perhaps least honorable trial."

The committee of jurors said it would also work for dismissal of state cases against Indians arrested during politically-inspired demonstrations. The first signature on the letter is that of Therese Cherrier. Others who signed included Maureen Coonan, Geraldine Nelson, Fran Aiken, Susan Overas, Katherine Valo, Richard Garcia, Joyce Selander, Linda Lacher, and Elaine Grono.

While native people have been generally happy with the legal successes, "law and order" forces are bitter. "Somebody must have been guilty of something at Wounded Knee," says an editorial in the Omaha *World-Herald* September 20 under the heading, "A Travesty of Justice." The editorial suggests the lack of convictions is the result of "soft-hearted judges" and "anarchy."

POLITICAL TRIALS IN THE U.S. – THE END OF AN ERA, OR THE BEGINNING OF "WE TRY HARDER"

For more than a decade, the Justice Department has taken a hard-line view of radicals, dissidents, and demonstrators. But in trial after trial – Chicago, Newark, Camden, Harrisburg, and Jacksonville, for example – the Government has wound up a loser. Said Laurence Silberman, deputy attorney general in Washington, "If you look back over the years, the Government record in those kind of cases in terms of winning and losing is not so good." His superior, U.S. Attorney General William B. Saxbe, has ordered an investigation of the Wounded Knee trial and other trials where defendants pleaded they were being tried for political reasons.

Indeed, of the 300 persons arrested in the Wounded Knee incident, indictments against only 130 have been obtained, and of those brought to trial so far, charges against 29 were dismissed and 9 were acquitted.

Silberman noted that the study would "teach us if there is a better way to handle these kinds of trials." He said the Attorney General "wants to do all that we can to make sure that we are as well prepared as we can be."

While the Justice Department and the FBI have refused to issue a detailed response to Nichol's denunciation, sources report that the judge's widely publicized rebuke sent shock waves through both agencies.

While the Government had thirty days to appeal Nichol's decision, however, it did not choose to do so.

Former Attorney General Richard G. Kleindienst, under whose administration the complaints against the Wounded Knee defendants were filed, felt the prosecutions should continue. "You've got to bring these prosecutions as a deterrant to others who might be planning to break the law," he added. He meant politically-oriented cases in general, he emphasized, not the Wounded Knee case in particular.

In many political cases, he said, "you are dealing with the disadvantaged who are very sincere and often are articulating very real grievances. For example, our Indian policy has been abysmal and the defense has the ring of righteous truth." Such a defense "has to affect the attitude of a judge and jury."

Most of the U.S. political cases were initiated by the Justice Department's Internal security Division, headed by former Assistant Attorney General Robert Mardian. Mardian was later indicted along with former Attorney General John Mitchell and six other top Nixon aides on charges of conspiring to obstruct justice by covering up White House involvement in the Watergate burglary.

Earlier, Judge Nichol ordered the White House to retain possession of certain tapes made during the Nixon Admonistration until it was determined whether the tapes have any bearing on the trial. Authority had been given former president Richard Nixon to take his tapes with him when he left office. Nichol signed the order at the request of Kunstler, who expressed concern about obtaining the tapes if they were let out of the White House. Of particular concern were tapes from March 11 through March 18, and March 26 through April 2, corresponding to the times when two federal agents were shot and wounded during the siege.

Judge Nichol ordered U.S. President Gerald Ford to determine if any of the White House tapes pertained to the Wounded Knee siege. He signed the order after ruling that an affidavit – sent to the court by Richard Nixon – was insufficient. Nichol had issued a subpoena for Nixon to turn over any tapes pertaining to the siege, but Nixon had replied that he would not disclose the contents of his tapes for reasons of "Executive Privilege."

It had been determined earlier that White House Chief of Staff Alexander Haig and Staff Counsel Fred Buzhardt (formerly of the Defense Department) had played key roles in coordinating military strategy during the occupation. The trial cost the U.S. over $500,000 – not including the salaries and air fare of the judge, his court aides, the prosecution team, and the U.S. marshals. The military operation to put down the occupation at Wounded Knee cost about $5-million.

In discussing the involvement of the military, the defense motion said that documents and testimony from Army officials had raised "profound and serious questions about the integrity" about Joseph Sneed, now a U.S. Circuit Court of Appeals judge in California, who during the occupation of Wounded Knee was an assistant attorney general. Judge Sneed testified during the trial that the Justice Department consulted the Defense Department from time to time in connection with "borrowing equipment."

Later testimony and documents showed that there was a complicated system for routing eqipment requests from the Justice Department to the Defense Department, and that Sneed participated in at least one White House discussion with Defense Department officials about plans to take the village by force.

Judge Nichol himself compared the Wounded Knee trial with last year's Pentagon Papers trial of Daniel Ellsberg and Anthony J. Russo as a spectacle of the misuse of power and in which the issues were overshadowed by errors. "I hope there aren't any more [cases like this]," Nichol said.

There are many interesting comparisons, which can lead United States citizens to see that the trial isn't just an "Indian matter", but is of vital interest to themselves:

– overshadowed issues: Wounded Knee began as a major test of the Fort Laramie Treaty of 1868. The Pentagon Papers trial began as a test of the First Amendment to the U.S. Constitution, a protest against U.S. involvement in the Vietnam War, and supporting the right of the United States citizens to know what their Government is doing.

– government misconduct: both trieals ended with the issues largely unresolved, the government's case repeatedly threatened with early dismissal over illegal and unconstitutional Government action, including eavesdropping and perjury. During the last dramatic week of both trials, new information was presented by defense lawyers that ultimately destroyed the prosecution's case and ended iabrupt dismissal.

"The real purpose of these trials [on Wounded Knee] is to break the spirit of the American Indian Movement by tying up its leaders and supporters in court and forcing us to spend huge amounts of money, time, and talent in to keep our people out of jaul, instead of building an organization that can work effectively for the Indian people," a statement of the Wounded Knee Legal Defense/Offense Committee said.

The committee said Col. Volney Warner, chief U.S. military adviser at Wounded Knee, wrote a report after the incident which said:

"AIM's most militant leaders and followers are under indictment, in jail, or warrants are out for their arrest. But the Government can win even if no one goes to prison."

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EDITORIALS

"One is Entitled to Snort"

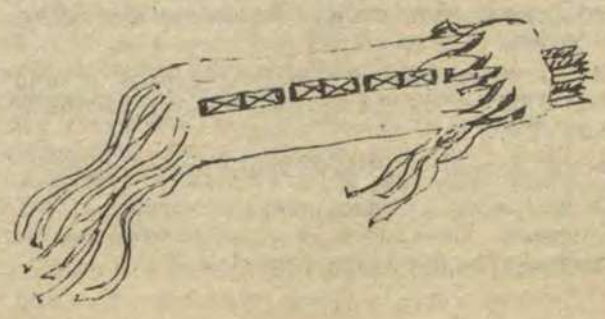
(This editorial opinion was syndicated through the Ridder News Service. It is by William Sumner.)

The road show is over and for this we are thankful. . . The bill for the mess will never be known. When federal salaries and expenses are added to the costs of providing transcripts, putting up witnesses, and paying defense attorneys, it could possibly reach $1-million. That is tax money.

For the money, we got a federal judge, Fred Nichol, called folksy by some and incompetent by many professions. That the thing lasted almost nine months lends some weight to the latter opinion: and let a month go by in the selection of a jury, for example, and let another month go by in an evidentiary dispute over a telephone extension that might have occupied half-a-morning before a competent municipal judge. Apparently he socialized with the defense or defendants or their supporters in spite of insults directed at the bench by them. Just plain folks, in other words.

. . . But when the Hon. Mr. William Kunstler tells us that this trial will cleanse the air, one must view the remark as sheer crap. This trial seemed to prove that the Government went to court without much of a case with a barefoot attorney, R.D. Hurd, who was clearly outmatched by Kunstler et al. . . Hurd, frankly, was as to Kunstler in law and technique as Slippery Rock Teachers would be to Ohio State in football. A good man, probably, but in need of some farm club seasoning.

When Judge Nichol sighs and worries about the cause of justice in this country, one is entitled to snort.



"Earnestly Try to Redress Grievances"

. . . Should the United States Government today be held accountable for actions by that same Government 50 and 100 years ago? Can one argue that the sins committed against the Indians were too bad, but since they are a fact of history, nothing can be done about them? To get to the point of the trial in St. Paul, can injustices to American Indians, particularly to the Sioux between 1860 and 1890, be considered as extenuating circumstances in the takeover of Wounded Knee in February, 1973?

A rational comprehensive answer to the last question would have to be "yes." We constantly call on history to help make decisions today. The Cyprus situation at this moment is a result of historical events going back to the Eighth Century B.C. To deny the relevance of history is to deny the use of memory. In terms of the American Indian, the U.S. Government may have to cry over spilt milk, and when the crying is done, earnestly try to redress Indian grievances.

(This editorial appeared in an August, 1974, edition of the Duluth News-Tribune.)

GLADYS BISSONETTE...THE WITNESS.

(Transcripts of the trial of Dennis Banks and Russell Means for Wounded-Knee-connected charges occupy thousands of pages. Much of it is boring legalistic sparring. Occasionally, the proceedings come to life, reflecting the flavor of the occupation event instead of the narrow framework of European-style legal procedure. Those excerpts from the transcript of the defense case provide a glimpse of the character of the courtroom.

(One of the few defense witnesses was Gladys Bissonette, who participated in the occupation. The defense was attempting to show that Wounded Knee was a spontaneous movement of people escaping desperate oppression, rather than calculated actions of criminal conspirators. She was describing a fire-fight in which bullets fired by U.S. agents were hitting the building in which she and others were pinned down.)

Gladys Bissonette, the witness: We were all on the floor in that little white house, and the CRS [Justice Department Community Relations Service officials acting as mediators inside the occupied village] hit the floor in the kitchen, and I was right at the door – it's all open, the doorway of the kitchen. We heard the marshals speaking over that CRS radio.

Mark Lane, defense attorney: What did they say?

The Witness: The marshals from the Denby bunker, the marshals' bunker on the Denby Road and Porcupine Road, asked that the AIM security men fire down on the creek, and the marshals would do likewise, because there's a third party along the creek who is provoking the firefight. And he said, the goons may be along the creek.

Q: Who said that?

A: One marshal, I don't know his name. don't know any of the marshals' names except Colburn and Hellstern.

Q: Who was in the house at that time?

A: There were about 30 of us Oglalas and two CRS men.

Q: Was Dennis Banks in the house during the firefight?

A: Yes, but he was asleep.

The Court: I really must say to the audience, please do not laugh, although I can understand the laughter because there's been so much testimony, the jury will recall, throughout this trial that every time an important moment comes up, it turns out that Dennis Banks appears to have been asleep. I suspect that evidence about his being asleep is somewhat admissible, because it may negate any willfulness on his part as to certain acts that were committed, but I can understand why you are all laughing, but I would ask you to try to restrain your laughter from now on, even if there is some more testimony about Mr. Banks being asleep.

(Later, questioning led Gladys Bissonette to describe an intense firefight which occurred April 27. She said she was in the little white church preparing breakfast with a group of "girls, women, and myself.")

Q: And what happened?

A: During the firing we didn't think – well, we were kind of used to it, anyway, so this one girl, Oletta Benson –

Q: How do you spell Oletta?

A: O-l-e-t-t-a.

Q: And what was Miss Benson doing?

A: She had a bowl of oatmeal. She was standing right opposite a window in the kitchen. She's a very heavy-set girl, and she has real chubby hands. . . All of a sudden, a bullet came in through that window, hit the top of her hand and just cut her skin, and went off through three walls and out, and everybody started screaming, 'Oletta's been shot!' And she started to laugh. She was a great one for laughing. She thought it was a flying glass, it happened so quick. But later, we saw the bullet holes go through them three walls and on out. . .

Q: Do you remember anything else that happened later that day?

A: Yes, the firing was heavy. Our little church was just riddled. We all had to stay near the floor; no one moved. And this was the first time my little boy ever prayed, my little 12-year-old boy. I knew there was something wrong, so I tried to talk to him. There were a lot of those people inside of there, mostly women, girls, and I think my little boy was the youngest one there. And the firing got so bad, and it got worse, and our church, we just kept getting firing on it, you know, and there was a radio on in the kitchen we could hear voices on and what they were saying about the firefight. We could hear over the radio where they were shooting gas into the AIM bunkers.

Mr. Hurd [prosecuting U.S. attorney]: Your Honor, I'm going to object to what she heard on the radio without some foundation as to who was making that statement.

The Court: Yes, I'm going to sustain the objection, and I will strike that latter portion about what she heard over the radio with reference to gas. . .

Mr. Lane: You said you hear voices over the two-way radio.

A: Yes.

Q: Could you identify those voices?

A: Yes, I could identify the marshals' voices.

Q: What did the marshals say?

A: They said that to shoot gas into Little Eagle bunker, which I think is an AIM bunker, and the AIM boys would say, 'they are shooting gas in on us.

A: All I have in mind as I lay on the floor was how they could paralyze our boys and come down on the women and children. As I remember back on days when they had unarmed our ancestors, killed them and let them freeze to death, there were no mercy for children. There were no mercy for the women. That's the very first thing that had come to my mind during that fire-fight. I knew this had to be the last. I didn't care for myself because I knew what I was standing up for. I was standing up for justice for the Indian people, but I just couldn't bear to think of the older women and the small children who still have a life – a full life ahead of them. It was around 4 o'clock when the firing finally had stopped.

The Court: Now by 4 o'clock, you mean in the afternoon?

The witness: 4:00 p.m.

The Court: In other words, you're talking from 7:30 in the morning until 4:00 p.m. in the evening?

The witness: Yes. We hadn't had nothing to eat. We couldn't move, stand up even in that place, we were getting such heavy firing, so along about 4 o'clock the firing had stopped. One of the AIM security boys came in and called me to the kitchen. I was away from the kitchen by then. I had crawled into this little room with my boy and several others, Lou Beane and her husband, and this fellow called me over. I walked over and he says, "Do you know LaMont?" I said, "Yes – he's my nephew." He said, "Well, he has been killed."

(At this point an unidentified woman began crying and was escorted from the courtroom.)

Mr. Lane: May we have a recess, Your Honor?

* * * * * * * *

(Mark Lane asked Gladys Bissonette later that day, after the noon recess, if she had seen any evidence of a conspiracy. The prosecution objected, and the court commented on the complicated legal definition of just what a conspiracy was. So Mark Lane rephrased the question, asking her if she had seen any evidence "of a plan to violate the law.")

The witness: All this time, there was no plans of any sort. We were – we, the Oglala Sioux people, the traditional people, and the full-blood and landowners of our reservation, were looking for some place where there may be a little justice for the Indian people. We were tired of living under this harassment and intimidation and the martial law that Dick Wilson [tribal council president] has cast upon us. When there's no law and order on the Pine Ridge Reservation, any Indians take beatings, anybody is murdered, if you go in and sign a complaint, you are the one that is jailed – the Indian that signed the complaint. An Indian can walk into that police station in the tribal courthouse on the Pine Ridge Reservation, all beat up, maybe even taken to the hospital, and the police will go up there and arrest the Indian and bring him down and put him in jail.

The FBI talks about the investigations, but I can show you files and files and files of complaints, grievances, that has never been investigated on the Pine Ridge Reservation.

And we do not know anything about conspiracy. The Indians are guided by the Great Spirit and our sacred pipe. So we look into whatever we think is right. We walk right in with open minds. We do not intend to break any laws. We do not intend to commit crimes. If there's a crime against looking for justice, where do we go to find justice here in America?

Mr. Hurd: Your Honor, I would move to strike everything after the initial "no." *(The motion was sustained.)*

* * * * * * * *

(In cross-examination, the prosecution asked Gladys Bissonette questions which would lead her to saying that conditions on the reservation had improved in recent years as the result of Bureau of Indian Affairs programs.)

Mr. Hurd: These same problems were existing [prior to Dick Wilson's election as tribal council chairman], weren't they?

A: Yes, but not as bad. Since Wilson's administration –

Q: Well, take the liquor problem, for example, Mrs. Bissonette. There's been a liquor problem on the reservation for many years, hasn't there?

A: Oh, yes. That's the way the white man brought us up.

Q: And you have had some first-hand experience with that problem, haven't you?

A: Oh, yes.

Q: And you have drank on the reservation, haven't you?

A: Oh, yes.

Q: And you have had possession of liquor on the reservation?

A: Oh, yes.

Q: So this is nothing new or shocking? The fact that people do drink on the reservation and have liquor on the reservation?

A: Not until I became concerned about the Indian people, and not until I opened my eyes – I sobered up and opened my eyes and saw how the people were getting bought off through liquor, which is happening right today on the reservation.

Dick Wilson is being bought off with money and liquor, and so are the goon squad, as I related.

Q: Now, Mrs. Bissonette, don't you think that it would be fair to say that the Bureau of Indian Affairs has been taking steps in recent years to try to solve these problems?

A: I don't know about recent years, but now it's worse. I can relate something about the Bureau of Indian Affairs at their Christmas party in 1973 . . .

Q: All right. Mrs. Bissonette, please to – just to answer my questions, if possible.

* * * * * * * *

(Along the same line, Prosecutor Hurd was trying to show that the U.S. was providing excellent health services on the reservation. Strangely, though, in order to prove that, he quoted figures on a rather high number of admissions to the hospital, perhaps a statistic of poor health conditions.)

Q: Would you be surprised to find out that, for example, in the first six months – or in the last six months of 1973, from July, 1973, through December, 1973, that there were 990 admissions at that [Pine Ridge] hospital? Does that sound about right?

A: I wouldn't doubt it. The reason why is because there's no – they have plenty of cough syrup and aspirins. I was treated for throat cancer and maybe possible tuberculosis with cough syrup and aspirins.

Q: The doctors there gave you cough syrup and aspirin?

A: Yes, that's what they prescribed.

Q: And did you realize that during that first six month period there were 152 births?

A: I wouldn't doubt it.

(Gladys Bissonette interrupted the statistics bit by telling of an incident when she was with her sister-in-law, who was waiting for treatment at the hospital late one evening. She waited a long time, having been told that the medical staff "was busy in surgery." The wait was so long Gladys got curious.)

The witness: . . . My sister-in-law said, "They're operating on somebody or something in there," and she said, "The door is open so far, and somebody's awfully hairy," so I peeked in the crack of the door and it looked pretty hairy, and I was very well concerned, so the next day my sister-in-law ran a cafe, the Crazy Horse Cafe then in Pine Ridge. Her name is Mary Prado. I walked in and her sister was sitting there drinking coffee. . . I said, "Who was that guy who was really hairy looking?" and she said, "Oh, no – it was two dogs they performed on. I guess they were hit by a car or something.

Mr. Hurd: All right. Now –

The witness: Anyway, it was an emergency for a dog.

* * * * * * * *

(Later, Mr. Hurd was trying to establish that there was sufficient threat of violence to warrant having marshals on the reservation.)

A: Everytime us women gathered to protest, or demonstrate, they always aim machine guns at us. Women and children.

Q: And – these marshals aim machine guns at you?

A: Yes.

Q: Well, Mrs. Bissonette, didn't you really know that the reason that marshals were on the Pine Ridge Indian Reservation is that, under the law, they have an obligation to protect federal property and federal functions, and that they were there to guard the BIA building because of a fear that there might be an attempt to seize that building?

A: I would like to know why they would shoot us Indians down just to save a building. Take human lives to save a building. How greedy can you get?

Mr. Hurd: Well –

The Court: I think we're about time for the recess. Court will be in recess for 15 minutes.

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KUNSTLER SPEAKS FOR THE DEFENSE

(In the trial of Russell Means and Dennis Banks for the occupation of Wounded Knee, William Kunstler summed up the case for the defense. By the end of his oration, tears were flowing freely in the courtroom. Even a U.S. marshal dried his eyes and remarked, "My God — that man is something else." When Kunstler finished, his head slumped exhausted on the table, the prosecution drily made its summation, the judge gave his instructions, and the jury filed out to consider its verdict. These are excerpts from the address of William Kunstler.)

I have done this for a quarter of a century. As I come up here, I don't know of any case that has moved me more than this one. Like my brother, Mark Lane, I came late to the Indians' cause. I knew nothing about it. To me, Indians were those figures that got shot in B-movies and fell off their horses and were dragged in the dust while the Seventh Cavalry came to the rescue.

I didn't understand, and when you don't understand, you don't know.

. . . [This] case affects all of us. What you do here — while it won't bring in the millenium — may be part of a process of bringing us to a new day in this country, a new understanding. That's why I'm part of this case, and I hope that's why we are all part of it.

I have two things to do which have to do with the evidence. One is to discuss very briefly with you a portion of the larceny count, and the conspiracy

count... In the beginning, undoubtedly things happened in the trading post. We would be straining your credibility as well as our own if we said things weren't taken from the trading post. They were. This was an upheaval. This was a straining and a new experience. This was one of those occasions in the history of human beings and social issues were in motion.

The same claims made against Russell and Dennis and others at Wounded Knee were made against the strikers in the Flint plant of the [General Motors] auto works when the first sit-in strike occurred in 1933.

Was that different than Wounded Knee? When workers took over a plant in this country and refused to allow the owners of the plant to come in. Held managers hostage for a while. The National Guard was called. Troops surrounded it, and a great man, later to become a Justice of the United States Supreme Court, Governor Frank Murphy, said there will be no killing here and no violence, and the sit-in strike was negotiated by Walter Ruther and the United Automobile Workers into an agreement.

There was some violence around it, of course. All social peoples cause some dislocation. A strike causes loss of incalcuable sums. Remember the postal strike a few years ago. Innocent people were hurt. That's true, and one does little otherwise if one could but turn that into thieves and burglars. To denature this down and distill it into thievery?

There were no charges filed against the occupeirs of the auto works in Flint, and it was negotiated into a new era for the labor movement... The larceny is symbolic, I guess, of the whole case. If you can reduce a social moment to a question of whether its leaders are thieves, then I guess you can discredit a social movement. You notice all of the crimes charged here are essentially what we would call the garden variety type of crime. Not sedition or treason or insurrection or sabotage — but thievery, assaults, and conspiracy...

As far as the conspiracy goes... it's the law that has always been used against all sorts of movements. Conspiracy charges are not unknown to people who read the newspapers. Whether it was the Chicago Seven or Father Philip Berrigan or the Vietnam Veterans Against the War or the Black Panthers in New York or Angela Davis. It's always a conspiracy charge, and there are reasons for this. Conspiracy charges are those which are the easiest to prove because you reason backwards by having the jury hear a great deal of hearsay evidence on the feeling there is a conspiracy, and then you reason from the evidence that there is a conspiracy. It's a nebulous and dangerous doctrine, even though it is the law, and all laws are not good.

Justice Jackson of the United States Supreme Court called it an elastic, sprawling, and pervasive offense. Its history exemplifies the tendency of a principle to expand itself to the limit of its logic. The unavailing protest of courts against the growing habit to indict for conspiracy in lieu of prosecuting for the substantive offense itself, or in addition thereto, suggest that loose practice as to this offense constitutes a serious threat to fairness in our administration of justice.

The modern crime of conspiracy is so vague that it almost defies definistion. [Justice Jackson]... went on to say, "Few instruments of injustice can equal that of implied or concluded or constructive crimes. The most heinous of all oppressions are those which mask as justice."

... Professor Thomas Emerson of Yale University, one of the leading authorities in the field of civil liberties, says, "The doctrine[of conspiracy] has been consistently and frequently used against emerging groups who are seeking a higher and more powerful status in society."

... The word "conspiracy" has been given a very sinister tone by recent Government cases. You imagine a farmhouse on the moor and people coming across the moor and sitting around a table, dressed in cloaks, with candles stuck in the necks of rum bottles, as they decide to do dubious and daring plots. But the word comes from the Latin word *con spire*, to breathe together.

In a speech which he gave the Virginia Bar Association in 1971, John Mitchell, then the Attorney General of the United States, said the threat to our society from so-called domestic subversion is as serious as any threat from abroad. "Never in our history has this country been confronted with so many revolutionary elements determined to destroy by force the Government and the society it stands for. These domestic forces are ideological and in many instances directed and connected with foreign interests."

That's what the "summit meeting" at Mobridge between Chinese Communists and Russia was put into this record. That's why the "summit meeting" at Wounded Knee was put into this record. Communism does have a meaning for American people, fostered for many years in this country, and that's what John Mitchell is meaning.

Don't be stampeded. You know now where the threat to our society comes from. You know now who all the time was spoiling, ravaging this country, and you know it wasn't the Russell Means and Dennis Banks and Martin Kings. I think now all Americans know where it came from — from the very men who warned about domestic subversion.

So keep that in your mind and don't be stampeded. You will be a better country if those who rebel against the past are allowed to discuss the issues, to raise the issues, to bring home to the American people things that sometimes only elements like occupying an auto company or a Wounded Knee can do.

... [The prosecutor] will tell you this is just a criminal trial, not a political trial. That's why he used the words, "I don't care." Put aside everything else — divorce it. Just a criminal trial, just as Socrates was condemned in a criminal trial and Jesus was condemned in a criminal trial, and John Peter Zendt was tried in a criminal trial. They're all "just criminal trials." That's the attempt — to distill it down to nothing, to take it out to the alley and make it appear to be just something of criminal law.

Is it really such a criminal trial? Do you believe that we sat here eight months over larceny and some assaults?

... When [the prosecution] talks of anarchy and balance, analyze it. Where were the violent things coming from, Wounded Knee or anywhere else. Think of the fact that the same comments made against these native Americans were made against Eugene Debs and Samuel Gompers, that the use of the conspiracy law received its greatest prominence in this country against the leaders of growing labor. Criminal syndicalism, they called it. It was a crime to strike in this country. And men went to jail because they were convicted of conspiring to tell other men not to labor long hours for little pay.

[The prosecutor] will tell you the Indians have legitimate grievances. It's just the means that are wrong. "They should have gone through the Indian Claims Commission, gone to court, gone to the ballot box." If those were the only mechanisms for changing conditions none of us would be here today. If this was the only way to achieve redress in this country, there would never have been a labor strike in this country by the laboring men and women. Instead, they would have

— photo by Bannon/Akwesasne Notes
William Kunstler . . . for the defense

gone to different public officials, gone to court, and not taken what was then the illegal step of striking.

When you think of what else could be done, after 400 years of marching to Washington, as Frank Kills Enemy told you, in '61; of 400 years of negotiations and treaties and lawsuits and massacres, what really else was there? To wait for the next election so more babies could die in the hospital? What was there left? What would you have done if by some miracle you all woke up Indian tomorrow on the Pine Ridge Reservation?

That is the same question that the first Mr. Justice Harlan asked his eight colleagues on the Supreme Court Bench when they were considering the case of Plesse against Furguson, the case that said: separate but equal is the law of the land. He said: Imagine if you woke up tomorrow all black. What would you think you ought to do in this world of ours?

And you heard Dee Brown, a man who eschews violence, who told you that violence went against the heart of his concept. And Mr. Hurd put the facts before him, and those facts were to imagine that there was substandard housing on the reservation; that there was inadequate medical care; that there was an attempt to impeach the chairman of the tribe and that it was unsuccessful. Assume, he said, that because of inadequate medical care that some people died because there was not adequate treatment available or because they couldn't get them to the Ellsworth Air Force Base where they would never get the initials VIP after their name. [Dee Brown said, "How long am I to assume this suffering has gone on? A hundred years?"] And Mr. Hurd said, "Since 1868. Do you believe that because of social and economic problems of long standing such as we have described here, that

historically people would justify the acts of violence that I set forth in my prior hypothetical?" Answer: "I think so."

And that would be the answer of every human being who is driven into a corner from which there was no logical or reasonable escape. Didn't they do that at Bunker Hill? What would Mr. Hurd say if he were here today the prosecutor for crimes charged against the likes of Samuel Adams? This is nothing like the American Revolution. This was not a revolution. It was an attempt to secure some reason for remaining alive – some reason so that Indian children wouldn't have the highest suicide rate in the nation.

That's what was at stake in this courtroom. That's what was at stake in Wounded Knee. That's the real issue, not whether Russell and Dennis are thieves.

. . . You are the triers of the facts. You are the persons who heard the testimony. You are the persons who will decide this most important trial. And you must recall. On your recollection may depend the liberty of two men. But more than that, may depend a social movement that is gathering strength and attempting to change 400 years of neglect and deprivation and destruction.

. . . Remember your oath to all of us. Enough has been said about latent prejudices and thirteenth jurors. I just want to add one word because I'm beginning now at age 55 to understand myself a little, thanks to the Indians, in large measure. I know how I, as a white person, feel down inthe visceral regions of my being. I know what thoughts I had in growing up in this country about all sorts of people and all sorts of ethnic groupings. And I know I could not stand in front of my Maker and say that I'm a person without prejudice. I am as much perverted by the environment in which I was born in as anyone else. And all I can do is, I guess, is to attempt to suppress it as much as I can. And to try to grow and develop myself so that I may someday say to myself, "I have no prejudices about anybody." I cannot say that now, and I have to be honest about it. And all I'm asking you to do is to be the same. . .

You have seen a most unusual case in which you've seen the striking of a young man's testimony because of governmental misconduct. You have seen documents presented which were altered and doctored. . . You know that for the first time in American history that I know of, the files of the Federal Bureau of Investigation were impounded by the judge because of that conduct.

You know that he has already found that there was illegal monitoring by the FBI at Wounded Knee. You've heard his remarks about Joseph Trimbach. Remember the testimony of Joseph Trimbach [area director of the FBI]: "I never executed an affidavit for a Title III legal wiretap" – when in his own files all the time was a sworn affidavit. Judge that, in a law enforcement officer.

You know that 11 counts have been stricken down to five. You've seen the sad and moving story of Louis Moves Camp. You've seen the way in which a person identified as the person who shot Marshal Grimm – Lee Bad Hand – was never even investigated and there were no reports about any of that.

You've even seen something which the judge called bizarre, and I agree with him, when I opened that door ten days ago, and you saw two agents of the Federal Bureau of Investigation who could have been sitting in the courtroom – you saw them eavesdropping on this trial.

You judge whether you want to live in a society where law enforcement agents hide behind doors of courtrooms while another FBI agent is testifying. You judge that little act. Maybe it's not important in the great scheme of things, and maybe it's more important than we realize.

Maybe it's a symbol of a society which until recently has been personified by electronic eavesdropping, informants, agents provocateur, and all sorts of revolting and indecent things done in our name, both domestically and abroad.

Think of the kind of society you want to live in. Think of whether it's possible, with the agents behind the door, to be free and democratic and independent. Think over these things that you have seen And then think of these defendants and think of where they stand.

Some of you may have seen Henry Fonda on television going through the life of Clarence Darrow, a lawyer many of us attempt rather unsuccessfully to emulate, and he talked about men like Dennis Banks and Russell Means, and I went to the St. Paul Library and took out the argument of Clarence Darrow in a case involving 20 men who were accused of conspiring to bring about a general strike among the workingmen and workingwomen of this country. This summation was given 54 years ago this morning in the City of Chicago, Illinois. He says this:

> **"It is the rebels to whom monuments have been built. All through the ages, from Moses down, the men who have never followed the opinions and ideas of the people around them are the men who have been building for the future. They have hewed steps out of the solid rock. They have worked in thorns and brambles and hard places that a stairway might be built for you and for me.**

"They are like Moses, who, defying custom and habit, are giving up ease and security, and having that faith which great mortals have, could see far off something better than the world had known. They have led their people through long years of sacrifice to the Promised Land. But these poor rebels have never seen that land, for when they reach that spot, their eyes were too dim to see, or they were laid in a felon's grave while the time-servers walked over their bodies to the goal.

"What do you suppose would happen to the world except for these rebels? I wish there were more of them. What do you suppose would have happened to the workingmen except for the rebels all the way down through history? If there had been only these, you gentlemen would be hewers of wood and drawers of water. You gentlemen would have been slaves. You gentlemen owe whatever you have and whatever you hope for to those brave rebels who dared to think and dared to speak and dared to act.

"And if this jury should make it harder for any man to be a rebel, you would be doing the most you could for the damnation of the human race. It is easier to believe something because somebody tells you it is true. It is easy to run with the hounds and bay to death those who may be better than yourself. It was easy for the people of New England to join in the mad rush and hang old women for witchcraft. It was easy for the people who lived in the days of the Inquisition to light the fires around men who dared to think; but it is these same rebels whose burning bodies have been the flame that has lighted the human race to something better than the world has ever known."

Every word said by the prosecution against these two men and the people they stand for has been said a out every one down the long range of history. Everyone has been so condemned who stands up. It is difficult; it is dangerous; it causes death, as it has been in this case to two young Indians, but it is the way the world changes.

Those who never speak never bring about change. Those who never act continue the same dreary path. Those who follow are those who go down in chains eventually, and all of us with them.

You have a role in that. You have a role to judge whether these men are felons and should be sent to jail. You have a role in judging whether they are the real criminals of this world, or whether what they would do was something that had to be done, and that you yourself – were you born tomorrow anew, Chippewa, or an Oglala Sioux, or a Sisseton Sioux, or a Hunkpapa or a Winnebago – might have done as you watched yourself and the people around you.

The Treaty of 1868 was signed on April 29 of that year. Two months later, the Fourteenth Amendment became the law of this land. The Fourteenth Amendment, which was supposed to give newly-freed slaves the equal protection of the law. Both the treaty and the Fourteenth Amendment were disregarded and violated so that blacks soon found themselves slaves again in a different and more insidious slavery. And the American Indian found himself and herself a gulled and cheated and betrayed minority, and almost became a vanishing species.

We took more trouble in saving the deer and the elk and the mountain lion than these human beings who were here before any of our ancestors even thought of making that perilous journey across the seas.

I read in a very poor novel recently about a doctrine called Social Inevitability. It's a fictitious document, but it has a ring to it – if you create conditions that are of such magnitude that they threaten to destroy people, and the remedies are tried and proven unavailing, is it always criminal to save yourself, or is it, as Dee Brown says, historically justified?

An old revolutionary from the French Revolution, when questioned long after the revolution, was asked about the guillotine and about the blood that was shed, and the estates that were commanded, and he said, "You cannot look at these things alone, because they are the terrible but sometimes unfortunate consequences of generations and centuries of neglect and deprivation," because, he said, "in France a storm has been gathering for a thousand years. It burst – and you cannot blame the thunderbolt."

Just a century or so ago, there was a massacre at Wounded Knee. It occurred in what Black Elk has called the Moon of the Popping Trees. Black Elk was 27 years old, a medicine man, a man whom the people believed had prophetic vision, and he heard the guns, the Hotchkiss guns firing from two hills over the ravine of the dry creek of Wounded Knee, and he rode toward Wounded Knee from Pine Ridge. He knew that a bedraggled band of Minneconjou Sioux led by a tubercular chief by the name of Big Foot, a dying man who could no longer ride his horse but was pulled in a little wheelless cart, were being herded back to the reservation. And he rode up there when he heard the gunfire because he thought and felt that a tragedy was occurring. And he stood on a hill on his horse and he watched what the Seventh Cavalry did to some three or four hundred human being, only a hundred of whom were males – those same people who are buried next to that church in Wounded Knee.

Years later, when he was interviewed by John Niehardt, the poet-laureate, the white man whom the Indians called Flaming Rainbow, he told him through an interpreter what that was and how it affected him. He said:

> **"It was a good winter day when it all happened. The sun was shining. But after the soldiers marched away from their dirty work, a heavy snow began to fall. The wind came up in the night. There was a big blizzard, and it grew very cold. The snow drifted deep in the crooked gulch, and it was one long grave of butchered women and children and babies who had never done any harm and were only trying to run away.**
>
> **"I did not know then how much was ended. When I look back now from this high hill of my old age, I can still see the butchered women and children lying heaped and scattered all along the crooked gulch as plain as when I saw them with eyes still young. And I can see that something else died there in the bloody mud and was buried in the blizzard. A people's dream died there. It was a beautiful dream.**
>
> **"And I, to whom so great a vision was given in my youth, you see me now, a pitiful old man who has done nothing, for the nation's hoop is broken and scattered. There is no center any longer, and the sacred tree is dead."**

The sacred tree is alive, ladies and gentlemen, because of what happened at this same place just a year or so ago. At this same place where Big Foot died in the snow, and where any of you who have read *Bury My Heart at Wounded Knee* can remember that photograph of a dead old man with his eyes open, lying on his back as the snow fell, staring into nothingness. The nation's hoop is being repaired. Both for you and for me and for the American Indian.

There is a fighting chance for something decent in this world, and it will not come by sending these men to prison.

Some years ago, Stephen Vincent Benet wrote a poem, and its a poem called "American Names." In that poem, he tried to capture in some way what had happened in his name and in our name everywhere in the world where human beings went down in the dust for their brothers and sisters, and he said,

"I shall not rest quiet in Montparnasse.
I shallnot lie easy in Winchelsea.
You may bury my body in Sussex grass,
You may bury my tongue at Champmedy.
I shall not be there.
I shall rise and pass.
Bury my heart at Wounded Knee."

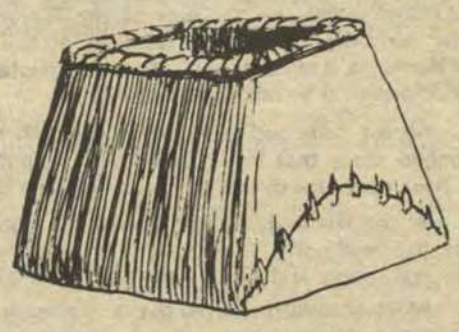
(Continued on next page)

Bury all our hearts at Wounded Knee. It's time each and every one of us understood that we have a stake in this. Everyone's heart should be buried at Wounded Knee. Everyone should join in what was started there and you cannot let the pedestrian approach, the pointing of the finger, the casting of the stone, you cannot let your Government tell you it was wrong and that you should pass it off as just another criminal trial in the history of the world.

In St. Paul's Cathedral in London there is an expression which perhaps symbolizes all of this: *Si monumentum requiris, circumspice.* "If you wish a monument, look around you."

If you wish a monument, look around you, because we build our monuments and we build them out of our hopes and dreams and aspirations, and we build them so that they will last longer than the cathedrals and the stones and the statues. You can start building a monument here, a small monument. A monument to Big Foot. A monument to Russell Means and Dennis Banks and every American Indian we have despoiled. You can start us all back on some road to decency so we are not just a nation of savages – and I mean savages in the real sense of the word – a nation of people without compassion and morality who merely exist from day to day until we die.

I would like to close with something I heard in another courtroom. I have read it many times. It was a client of mine, a Jesuit priest by the name of Daniel Berrigan, and in 1968 he and eight others, all Roman Catholic, all went to a draft board in Catonsville, Maryland, and they burned 504 files – all the 1-A files so that yound men would not have to go die in the mud somewhere for something that was despicable and indecent and immoral. After he took the stand and testified as to all of the things he had done to avoid burning one draft card, the marches, the vigils, the picket lines, the letters to the editor, the electoral politics, the running for Congress, the prayers and the hopes, and then he said: "We had no choice and we, men and women who abhor violence, went and created it in the hopes of avoiding a greater violence."



After he testified I said to him, "Father, did you not write a meditation to accompany the statement issued by the nine defendants at Catonsville? . . . Would you read that meditation?" I will read you only a portion of it – it says everything I want to end this summation with:

> **"And so we stretch out our hands to our brothers throughout the world. We who are priests to our fellow priests. All of us who act against the law turn to the poor of the world, to the Vietnamese, to the victims, to the soldiers who kill and die for the wrong reasons, for no reason at all, because they were so ordered by the authorities of that public order which is in effect a massive institutionalized disorder. We say: killing is disorder. Life and gentleness and community and unselfishness is the only order we recognize. For the sake of that order, we risk our liberty, our good name. The time is past when good men may be silent. When obedience can segregate men from public risk. When the poor can die with defense. How many indeed must die before our voices are heard? How many must be tortured, dislocated, starved, maddened? How long must the world's resources be raped in the service of legalized murder? When, at what point, will you say no to this war? We have chosen to say with the gift of our liberty, if necessary our lives: the violence stops here, the death stops here, the suppression of the truth stops here, this war stops here. Redeem the time. The times are inexpressibly evil. Christians pay conscious, indeed religious tribute to Caesar and Mars by the approval of overkill tactics, by brinkmanship, by nuclear liturgies, by racism, by support of genocide. They embrace their society with all their heart and abandon the cross. They pay lip service to Christ and military service to the powers of death, and yet – and yet the times are inexhaustibly good, solaced by the courage and hope of many. The truth rules. Christ is not forsaken. In a time of death some men, [some women], the resisters, those who work hardily for social change, those who preach and embrace the truth – such men overcome death. Their lives are bathed in the light of the resurrection. The truth has set them free. In the jaws of death they proclaim their love of the brethren. We think of such men, [such women], in the world, in our nation, in the churches, and the stone in our breast is dissolved. We take heart once more.**

And I said then as I say now, nothing further. The defense rests. These men are in your hands. Take good care of them – they are my brothers.

A POLICY OF SOLIDARITY TOWARD WOUNDED KNEE

Events seem to indicate on one level that the white American world is unable to understand what is happening in the world about it, and consequently, interprets events in terms of violence, or retains in its memories only incidents involving violence. The white world, understnading only what it contains within itself, constantly refers back to violence.

This image of others, drawn from within itself, is reassuring and comforting in reaffirming what they believe they know about native Americans.

Look at it this way: Indians themselves have not forgotten Sand Creek or Wounded Knee 1890. Whites themselves may not have completely forgotten it, as seen in the type of literature that has related these events in recent years. However, the memory is different from two different standpoints: the Indians remember them from the point of view of victims, and the Whites from the viewpoint of oppressors. While the former cannot forget what has marked them from that time onwards, and adopts this history in the context of their struggle, the latter cannot decide what attitude to adopt, and resorts to a form of contemptuous indifference or aberrant aggressiveness.

These relations are rooted in the age-old White fear of the Indians, a fear which cannot be admitted as it is the Indians who really have everything to fear.

As long as this inability to see the facts remains, we do not have a misunderstanding, but an insurmountable barrier. It will remain as long as Whites continue to interpret from the outside events which can only be analyzed from within.

The American Indian Movement, which is both political and religious, now provides the possibility of such an analysis. But the opportunity has not been seized yet. As long as there is in the United States a conspiracy of silence, there will be no action. AIM is talked about, but mistakenly, and with bad intentions. The evidence is that although AIM members have every reason to be converted into militant fanatics from the treatment they have received, they are, in fact, not violent.

Further, the evidence is that the political demands of AIM are associated with the revival of sacred customs and cultural values. But with the United States, there is only pre-occupation with violence, and the newspapers reported only the occupation of Wounded Knee 1973 where the circumstances were exceptional – but once the occupation was over, the reasons for it were quickly forgotten.

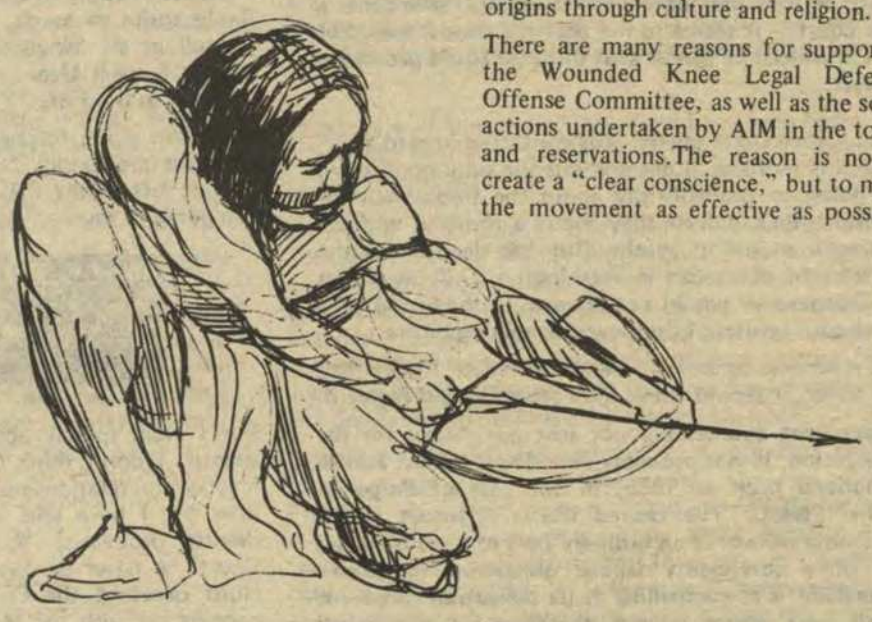
In fact, the reasons and causes behind the occupation must be traced far back in time.

It was long believed that with the disappearance of the great herds of bison, the massacre of Wounded Knee, and the making of reservation boundaries, an era was brought to an end and henceforth, the Indians would soon be assimilated. All forms of resistance came to be considered as a thing of the past. This explains partly why the renewed militantism of recent years so much disconcerts white society, which can only go on trying to equate resistance with terrorism or delinquency.

Because for several decades the Whites have been deaf to the voice of the Indians, they imagined that the Indians had abdicated. It is thus not at all surprising that society and the Establishment tend to see those who try tc safeguard or restore the integrity of their culture as rebels or common bandits. This, of course, answers white purposes. But one must emphasize that resistance has never ceased all these years – it has simply taken on new forms, and became intense because of the crisis arising within white society.

The native movement has reached a turning point at which a political and religious strategy has been formulated, using a global criticism of Western society.

As a result of the policy of dispossession and expropriation applied by the BIA, and its strategy aimed at aboloshing reservations, many Indians have been forced to emigrate to the urban centres, so that 50% of the population now live in American cities. These 356,000 city-dwelling Indians were able to see the possibilities of resistance precisely because they were living outside the reservations. They could not avoid noticing that the values preached by United States society, "The American Way of Life," did not necessarily correspond to reality.



They were confounded with the fact that numerous Whites wanted to abandon this way of life, or strongly criticized it. They realized that what had been presented to them as a society of abundance was nothing but a mirage.

Thus, native people recognized the irreplacable worth of their customs and ways of life through living in urban centers, and have measured from within the weaknesses inherent in the American class system. It is this all-embracing form of criticism, bearing on the daily way of life of the Whites, which is the most unacceptable to the average American, whose opinion of Indians is based on such worn-out clichés that one is amazed they still persist. ["Stop acting like a wild Indian!"]

The resistance to cultural and economic oppression gained strength among the urban Indians, who transferred it back with them to the reservations. The Indians of the reservations and rural centres continued to put up less open, but no-less-important resistance. These two combined forces eventually to produce an echo in the non-Indian world, but it was not resounding enough to be maintained.

There is, in fact, no break in continuity between Wounded Knee 1890 and Wounded Knee 1973.

There is no doubt that the AIM people can best be suppressed by presenting them in a light of violence, as is now being done through the creation of explosive situations. However, the progress of these resistance groups can never rely on violence, since their chosen mission is to return to their origins through culture and religion.

There are many reasons for supporting the Wounded Knee Legal Defense/ Offense Committee, as well as the social actions undertaken by AIM in the towns and reservations.The reason is not to create a "clear conscience," but to make the movement as effective as possible.

To remain deaf to this call would be to condemn to failure a movement which is irreplacable in the message it carries and in the things it forces Whites to discover about themselves. Those who are members of Western "decivilization" are all responsible for the economic conditions in which the Indians live – whereas the fact that any traditions at all have been preserved until now is due solely to the Indians. Consequently, any help coming from whites must be through and for economic purposes.

By taking into account the true facts and by acting, Whites can then work out a policy of solidarity freed of the stupid prejudices which have been fostered for centuries with regard to the native Americans.

(This analysis is by Pierrette Desy, translated from the French language article in "Le Gueule Ouverte", published in Paris in March, 1974. An active French committee for the American Indian Movement is located at Comite Francais de Souttien a AIM, UER d'ethnologie, Universite Paris VII, 2, place Jussieu, 75005 Paris, France.)

JUDGE NICHOL SPEAKS HIS MIND

Judge Fred Nichol

(Tension had been mounting as the jury deliberations were held up pending word on whether Ms. Terese Cherrier could resume her participation after she suffered a stroke. It was September 16, a Monday. In the morning, inside the judge's chambers, her doctor told the judge and attorneys from both sides that she could not return to jury duty. The defense immediately agreed to proceed with 11 jurors. The next move was the Government's.

(One hour passed. Then two. The official answer from the U.S. Justice Department in Washington, D.C., came at 2 p.m. It asked for a mistrial, saying the prosecution would not proceed with 11 jurors. Suddenly, the buck had been passed back to Fred Nichol, the South Dakota federal judge who had moved the trial to St. Paul because he had said it would be impossible to find an unprejudiced jury in South Dakota.

(At 3 p.m., the jury was recalled to the courtroom. There Judge Nichol told them their colleague, Ms. Cherrier, would be unable to continue deliberations. He assured them that she was receiving good care, that she was experiencing no discomfort, and that she was alert. He then proceeded to discuss the situation. This speech ended the 8-month trial. These are excerpts from his statement and decision.)

,The Federal Rules of Criminal Procedure provide that juries shall be of 12. Now whether that 12-person jury is because, as was suggested by one of the counsel for the defendants, of the 12 tail feathers in the eagle, or whether it's because of the Christian view that there were 12 Disciples, or whether it may be because of some other religious view, we know that juries in criminal cases, at least, shall consist of 12 persons.

Now there is a provision, however, that at any time before a verdict, the parties may stipulate in writing, with the approval of the court, that the jury shall consist of any number less than 12.

May I say this: I have — I guess "importuned" is a good word — I have importuned counsel on both sides to accept the unanimous verdict of the 11 remaining jurors. I am powerless to do anything more than ask or suggest or highly recommend. I am reluctant to think that after nine months of trial that has involved the lives of at least a hundred families — if you include witnesses, counsel, marshals, members of my staff, other persons that have been necessary attendants in this court — it seems to me that it's almost incredible that it cannot be agreed that this case could proceed to verdict. . .

[The Justice Department] was contacted immediately, early this morning. I guess about the only good thing I'm going to probably say about the Department of Justice is that at least they made a decision without waiting a couple of weeks. But the decision of the Department of Justice in Washington, D.C., was that the Government would not consent to the receipt of a unanimous verdict of the eleven remaining jurors. . .

This means we cannot proceed to a verdict. I regret this very much. I should think that others would regret it.

Government counsel are not just adversaries for the prosecution. It was probably stated best by Mr. Justice Sutherland back in 1935, in the case of *Berger v. United States*. "The United States Attorney is the representative not of an ordinary part to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all, and whose interest therefore, in a criminal prosecution, is not that it shall win the case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which that guilt not escape nor innocence suffer. He may prosecute with earnestness and vigor — indeed, he should do so. But while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."

[The defense has made a motion for acquittal. That motion] substantially renews all of the motions previously made at the close of the government's case and renewed again at the close of all of the evidence. But it does call my attention to other matters that have occurred since I made my first motion denying the motion for judgment of dismissal because of government misconduct.

You will recall I used the word that I was on the brink of dismissal. I think it's only fair to say — and you will see the reasons why very shortly — I am now over the brink. . .

I made a point that misconduct can be of two kinds. It can be deliberate misconduct on the part of the Government, or it can be conduct that rises to such a high degree of negligence that it would be unfair to continue with the trial or to permit the jury to convict a person because of the negligence on the part of the Government.

They certainly were forewarned. [I said] "if further misconduct occurs on the part of the Government, I would certainly consider a renewed motion by the defendants. It is my deepest hope and expectation that such a renewal shall not be necessary."

My deepest hope and expectation was dashed. What happened since that time? Four very serious matters that have made me decide to have to go over the brink.

One was the Richards affidavit. Now it's true I struck all of the testimony of Richards. It's a little hard to strike testimony and tell a jury you can't even think about what you've heard. And the reason for it, the government at least says, it was simple negligence. They just forgot to turn over one of the 302s, and it just happened that the one they forgot to turn over apparently completely contradicted all the rest of the 302s that had been turned over.

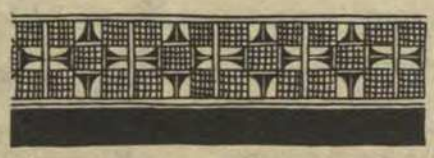
. . . The second was the Louis Moves Camp matter. That is the most serious, most serious misconduct, in my opinion, on the part of the Government. The third was the question of military involvement. And the fourth was the refusal on the part of the Government to permit this case to go to verdict.

. . . One reason this Court wanted this case to proceed to a jury verdict was because if the Government could not produce sufficient evidence in nearly eight months of trial to convince you that the two persons who were the sort-of self-appointed leaders of the whole thing were not guilty of anything, is it fair to say that the other four leaders and the hundred and some other persons who have been tried and are being tried by Judge Urbom in Lincoln, Nebraska — is it fair to say that they should be tried?

Maybe there's an analogy between President Nixon and some 48 or 50 of his aides who are now being tried — and he has a full pardon? Now I don't mean to imply that Russell Means and Dennis Banks are necessarily guilty, but I say there's an analogy there.

The Moves Camp matter is a tough one — probably the most bizarre incident in the trial. Here's a man that comes forward, apparently a member of the American Indian Movement, a man who was claimed to have knowledge of what was going on. . . Here's a man that calls up the FBI and says: "I have some information that I think would be of interest to you. I'm very disenchanted with what's gone on in the American Indian Movement — apparently he doesn't mind Dennis Banks quite so much, but he apparently doesn't like Russell at all. Whether he was prompted by revenge against Russell Means, I don't know — but he comes forward to the FBI.

What I'm going to say about the FBI, I think, is very hard for me to say, because I'll hope I'll have a few friends left in the FBI when I get through with what I'm going to say.



But I want to talk about something I think is more serious. I don't think Mr. Hurd is going to like this. Maybe our relationship is going to be different from now on. I have said in this Court repeatedly [that despite problems] Mr. Hurd has never misled the Court; he never deceived me. I think [now] that Mr. Hurd deceived the Court up here at the Bench in connection with the Moves Camp incident in Wisconsin. It hurts me deeply. It's going to take me a long time to forget it. I think it hurt Mr. Hurd. It was reported in the paper when I finally decided after the hearing behind closed doors in the chambers that the sordid story of what went on over in Wisconsin was going to come out after all, that Mr. Hurd — who gets almost as emotional sometimes as Mr. Kunstler — also broke down and cried very briefly. I don't know whether it was his conscience or what.

But when he told the Court up at the Bench that this incident over in Wisconsin wasn't anything more than an ordinary public intoxication charge that wouldn't necessarily involve fingerprints, I think he was deceiving me. I can't believe that he hadn't heard from Philip Enlow, who is assistant special-agent-in-charge of the FBI, that there was a lot more serious charge than public intoxication over there, and Mr. Hurd knew that when Louis Moves Camp was put on the stand.

Now to that extent, I think the prosecutor in this case was guilty of misconduct, certainly not in accord with the highest standards that we ought to expect of those officers that represent what I used to think was the majesty of the United States Government.

I guess this has been a bad year for justice. What went on in Washington, D.C. — I would like to think a new chapter was going to be written when we had a new President. I'm afraid that chapter is getting pretty badly blotted too. Not just with the pardon of Richard Nixon, but it's incredible to me to think that the Department of Justice — representing the majesty of a country that at least I hope we all love, that I love — in refusing to permit this case to go to verdict, is one of the reasons I feel there's been government misconduct in this case.

But let's get back to Louis Moves Camp again, and the role of the FBI. What did they do? [Mr. Hurd told them to check Moves Camp out carefully.] Well, I don't know what their checking was. A lot of it, I know, must have taken place in bars over there in Wisconsin, maybe some other places we haven't heard about. But to me it's almost incredible. I didn't realize the FBI was stooping so low that they'd treat a prospective witness by the Government with royal treatment if there ever was one — take him over to a plush resort that as I understand is owned by 3M, and set aside primarily for VIPs that 3M may have in the Twin Cities, sort of a dude ranch proposition.

If they're protecting him, I'd hate to be protected that way. What did they pay him? Well, I suppose there is some evidence that they got mixed up — they paid him double on quite a few days. He was getting as much as $68 a day. It turns out he got $2,074.50 before they got through. Now this was all under the guise of a "marshal's relocation plan. I've learned a lot of things throughout this trial, but I never thought I was going to find out things like that. Is that what we expect of the FBI and representatives of the Department of Justice, and the United States Government, that they're treating prospective witnesses like that? Let them have all the liquor they want, substantially?

I guess I can say one good thing for them, though. When Louis Moves Camp says, "Can I take this gal into the hotel with me?" they did say no. But they said, if you want to take her someplace else, that's okay, and we'll try to figure a way to get you back, and they go and leave him with her.

Now I'm not going to go so far as to say that the FBI quashed the prosecution in Wisconsin. . . [but if] somebody knocked on my door in the middle of the night and exhibited an FBI badge and said, "We'd like to have you do something," or even if they don't say anything — I don't know. Maybe I've been raised wrong, but I guess I'm somewhat intimidated with a badge of some sort. . . They indicated that he was a witness in the Wounded Knee trial. I don't think they had to tell them that, they would prefer they didn't prosecute. I think they got the message. But it's hard for me to believe that the FBI, which I have revered for many years, has fallen to that low estate.

There was some news on the radio last night concerning the FBI that indicated there were involvements such as we have had to worry about not only here, but the role of the FBI in the Ellsberg case, the role of the FBI in Washington, D.C., where they were doing substantially anything that the persons in power [wished]. The story I heard on the radio was that starting in 1969 up through 1972, the FBI were engaged in some of these things. When [the prosecution] said, "Let's have a lie detector test on Louis Moves Camp," do you know who said no? Joseph Trimbach, the [area] head of the FBI for Minnesota, North and South Dakota.

Since when does the head of the FBI start telling the prosecution that they can't have a lie detector test if they want to?

I think the negligence on the part of the Government involves government misconduct, and I'm rather ashamed that our Government was not represented better in the trial of this case.

Now, the military involvement, I think, is also a serious matter. You know, we have had a tradition in this country [that] we don't want the military running the civil affairs of the country, and particularly we don't want the military running the marshals or the FBI or have any part in the execution of the law — and Congress has so said. I've read the statutes so many times I practically have i memorized: no person — which would include the FBI, the marshals, or anybody else — shall use any part of the military as a posse comitatus or otherwise, in the enforcement of the civilian laws of this country. . . . There's no doubt about it — the military was involved.

Now, what I'm adding up, I'm simply saying that [these are the reasons] I have gone over the brink and am granting the motion for acquittal as a motion for dismissal. . .

WOUNDED KNEE.... The Other Trials....

Lincoln, Nebraska – The joy of victory in St. Paul can only be brief. Several hundred other persons still await state, federal, and tribal trials for charges relating to the occupation of Wounded Knee. And the U.S. has had a taste of blood here with four convictions – the first out of three dozen tries.

Despite the massive contradictions in Moves Camp's testimony, five new indictments have been issued as a result of his statements. Frank Black Horse, 25, of Pine Ridge, was arrested in Seattle, Washington, on September 4. His indictment came from a grand jury hearing at which Moves Camp apparently testified a month before. He was charged with assault with intent to commit murder, assaulting federal officers, and impeding federal officers. The particulars state he was involved in the shooting of FBI agent Curtis Fitzgerald of Chicago on March 11, when the U.S. announced it was removing its roadblocks into Wounded Knee, but nonetheless pursued a van containing native people as they came out of Wounded Knee.

Ted Standing Cloud was taken from the elevator in the St. Paul courthouse building on his way to the Means/Banks trial. Bernard Escamilla, whose previous indicment was dismissed, was charged with assault.

At about the same time, U.S. Attorney William Clayton was dropping other charges "in the interest of justice." Charges were dismissed against Thomas Buchanan and Patrick Rogers of Buffalo, N.Y.; John K. Perrote, Neopit, Wisconsin; Ronald F. Fidge, Lower Lake, California; Lawrence A. Smiley, Window Rock, Arizona; Arthur Montoya, Redding, Pa.; Bryon DeSersa of Rapid City, and Daniel Steven Vigil.

Charges were also dismissed of illegal possession of a firearm against Mary Quintana, 22, of Rosebud; James Roberts 28, of Seattle; and Bill Means, 27, of Mission. The dismissals were granted by Judge Andrew Bogue at the request of the U.S.

Other dismissals were granted at Government request by Judge Urbom to Robert Leroy; Cherry Ann Richards of Arcata, California; Catherine Ralston; Clarence Arthur, Arapahoe, Wyoming; Bernard Escamilla of Scottsbluff, Nebraska; J. White, and Douglas P. Skye, Jr.

The first convictions in the occupation of Wounded Knee came down October 17 when Mark Fleury, Colin Wesaw, Reginald Dodge and Larry Johns were found guilty of conspiracy to interfere with federal officers.

The prosecution record in the trials has been poor. The first case lasted about 15 minutes when charges were dropped against three older women and a son of one of them. The second ended in a pre-trial motion to dismiss because of illegal search and seizure. The third ended after the prosecution presented its case and failed to prove the charges. The fourth was the only one to go through a defense case – and then the judge found the defendants innocent. The fifth ended in motion for acquittal because the prosecution couldn't find witnesses to the offenses. Others have had charges dropped even before court.

Yet the grand jury is still sitting in Sioux Falls. The beleaguered Wounded Knee Legal Defense/Offense Committee still has 264 cases to fight. Despite evidence of federal misconduct and offenses committed by tribal officials and white ranchers, though, no charges have been made against any of those who opposed the occupation.

With close to a hundred cases still pending, Judge Urbom has asked for an additional federal judge to hear the cases remaining. He noted that there may be still more indictments.

Some indictments have been issued, but warrants have not been served yet. According to assistant U.S. Attorney Alan Kirshen of Sioux City, Iowa, the chief prosecutor in the non-leadership trials, one person has been indicted on a charge that hasn't been used since World War I. That charge, criminal syndicalism, involves the use of violence, terrorism, or force or the threat of injury to persons or property in the furtherance of social, economic, industrial, or political ends. The law was used widely against labor union leaders. It carries a maximum penalty of 25 years in prison.

In Lincoln, Nebraska, the trials of more than 100 persons charged in connection with the liberation of Wounded Knee continue. Currently, Mark Fleury, Larry Johns, Colin Wesaw and Reginald Dodge are on trial, accused of conspiracy to interfere with federal officers and with assault. In that trial, the testimony of BIA policemen has been substantially different from that of FBI agents who investigated an incident, leading defense attorneys to accuse the U.S. Government of perjury, withholding evidence, falsifying reports, and other misconduct.

In early September, Dale Red Boy, Roger Iron Cloud, Beau Little and Wallace Little, Jr., were acquitted on charges of impeding a federal officer and armed assault. The charges stemmed from sporadic gunfire that took place on April 27, 1973 – the day that their fellow warrior, Buddy Lamont, was shot and killed.

Judge Warren Urbom ruled that the prosecution had not linked the defendants with the charges against them after it became clear that the Government wasn't able to produce witnesses who could testify to the crucial events.

The defense was able to use the trial to find out just how Buddy was killed. Bobby York, an FBI sharpshooter, indicated that he was almost certainly the one who had shot him. He said he was one of three agents using the type of weapon and ammunition that Lamont was shot with. York gave his testimony matter-of-factly, coldly, professionally.

The type of ammunition that York had was a 2206 mushrooming or expanding bullet, banned by the Geneva Convention for use against humans. York testified that he had been told to "shoot to kill" although the official announcement of the U.S. was that a "shoot to wound policy" was in effect.

The prosecution's key witness was to have been Eddie Cut Grass, who had gone into Wounded Knee on the morning of April 27, and left that afternoon to escort the body of his cousin, Lawrence "Buddy" Lamont. He was arrested as he left the village, questioned by the FBI, and in that moment of grief and stress signed a statement naming fourteen persons as having committed crimes while he was there.

On the stand, Cut Grass' testimony was hesitant. He was unsure if he testified in fear of AIM members or the Government. He appeared with the defendants and AIM members at a press conference following the acquittal, and said he was glad to be back with his sisters and brothers. "The only one I miss is my brother Lawrence Lamont. I only wish he could be here to say something."

Another witness, Bernadine Nichols, pleaded the right against self-incrimination – the Fifth Amendment to the U.S. Constitution – in refusing to give evidence against the four. The prosecution then granted immunity from prosecution, and demanded that she answer. The 20-year-old witness still refused despite the judge's explanation of the U.S. promise. She said, "The Government promised a lot of things, but they always broke them."

The U.S. asked that she be held in contempt of court, but Minneapolis defense attorney Bruce Hartigan said that even if she were immune from federal prosecution, she was still subject to both state and tribal charges. He said the prosecution was calling witnesses for the sole purpose of holding them in contempt of court. "The only people who are going to be put in jail in this case are their own witnesses," he pointed out. Judge Urbom declined to hold her in contempt.

Speaking in his own defense in the case, Iron Cloud opened with prayer, then spoke of the "standard policy of genocide" towards native people. "I'm proud to be here for my Indian people," he concluded, "but I'm scared."

One of the biggest controversies surrounding the Lincoln trials has been the issue of food stamps to paralegal workers, witnesses, and others working on the trials. Jim Springfield, deputy administrator of the U.S. Department of Agriculture food stamp program in Washington, ordered the stamps cut off because of the communal living arrangement for the transient group temporarily in Lincoln. Local officials had made the old Lincoln Air Force barrack available to them for accommodations.

Even when Lancaster County Welfare Director Jerry Lemonds added cooking equipment and established a cooking schedule so each family would have ample time to cook their own meal, and numbering rooms so each family would have its own "address," Springfield refused to budge saying the encampment still "retains the nature of a communal cooking operation" and is therefore improper procedure under the food stamp law."

Lemonds said that his office would have been better off taking care of the trial followers' needs through direct relief "than to have all this hassle."

Since the arrangement had been used successfully during the Sioux Falls and St. Paul trials, the move was a surprise. Springfield said he was aware that it was the natural culture of native people to live communally, but said, "I don't see how we could make allowances for that. How could we permit communal cooking for a culture that's a thousand or two thousand years old, and deny it to one that started six months ago?"

Approximately $4,500 worth of stamps had been issued in Lincoln before the order. The Rev. Bob Jeambey of Lincoln suggested that the USDA action might have been an attempt to apply pressure to Wounded Knee defendants and followers during plea bargaining negotiations with the federal government to accept speedy trials since they did not have the means to exist during a long trial.

Additional support for the continuing use of food stamps came from the Lincoln Fellowship of Churches, which sent statements to officials and representatives, calling upon the USDA to exercise "the same spirit of good will and cooperation that the U.S. Justice Department asked of the community of Lincoln in its hosting these significant Wounded Knee trials." The Fellowship expressed its "great disappointment that the spirit and intent of the food stamp law had been violated by the letter of that law."

John Trudell, national chairman of the American Indian Movement, said he believed the federal action was done purposely to provoke the Lincoln group to do things "that would turn public opinion against us." He said, "We didn't ask to be here in Lincoln – we were forced to come."

Trudell was happy about the local climate, which had been smoothed out by the Lincoln Committee of Concerned People (LCCP), a group which has aided the visiting native people to be comfortable in Nebraska's capital city.

Lincoln's mayor, Sam Schwartzkopf, had eased local fears when he urged his people to be hospitable. He said the bloody brawl in the Sioux Falls courtroom of state judge Joseph Bottum had been caused by "a bigoted judge."

FREE SARAH

It's Custer, South Dakota, on February 6. The weather is bitter cold. A group of 50 persons are gathered othe courthouse steps. They are quiet and unarmed. Sarah Bad Heart Bull climbs the steps alone, her arms at her side, her jacket protection from the wind and cold. She asks the policemen why she cannot see the district attorney about the charges against her son's slayer. What happened next is shown in the photo on the next page.

Free Sarah Bad Heart Bull

Now that the Means/Banks trial is over, attention is centering in on Sarah Bad Heart Bull, one of three persons recently sentenced to prison terms for taking part in protests in Custer, South Dakota, in February, 1973, just before the occupation of Wounded Knee.

Sarah Bad Heart Bull is a 46-year-old Oglala woman, the mother of eight children. Six of them are living — the other two were shot by white men in separate incidents. It was the death of one, Wesley, that set-off the Custer protest, and it was the arrest and mugging of Sarah that caused the protest to become violent.

"Both racism and sexism are at work in Sarah's case, Paula Giese of the Free Sarah Committee operating out of St. Paul says. "It's clear in how difficult it has been to get attention to Sarah and the whole Custer incident. The media has ignored it and paid attention to famous males."

The committee is composed mainly of women from the American Indian Movement, attempting to obtain a million signatures to take to South Dakota officials. A demonstration in Pierre, the state capital, was also arranged, including speeches by Marlon Brando and Harry Belafonte. However, the mobilization of police to deal with the demonstration was so great that organizers called for great caution to be exercised by all who attended, if any at all.

Early in the morning of January 30, 1973, Darrel Schmitz, a 30-year-old white man who operated a gas station, was ejected from a bar in Buffalo Gap, South Dakota. Shortly after, he got into a fight with Wesley Bad Heart Bull, a 20-year-old Oglala from Pine Ridge Reservation. Four witnesses — Oglalas — say Schmitz stabbed Wesley without provocation.

Schmitz was charged with second-degree manslaughter, the weakest charge possible.

On the morning of February 6, Sarah and four witnesses to the slaying went to Custer in two cars. By prior arrangement, they were to meet with district attorney Hobart Gates. When they arrived, he would meet only with High Eagle. The others waited outside under the watchful eyes of police guards. There was no demonstration or caravan at Custer at this time.

But Gates told High Eagle, "It's just your word against his," and he refused to raise the charge from manslaughter to murder.

At 1 p.m., a caravan of approximately 200 unarmed native people, mostly Oglalas, arrived in Custer, at which point Russell Means and four other AIM members were admitted to talk with Gates. By 1:30 or so, a group of about 50 had gathered at the foot of the courthouse steps, which were surrounded by heavily-armed police.

Sarah Bad Heart Bull, alone, walked up the steps to ask if she and the four witnesses to her son's slaying could enter the public building.

While the crowd watched, the police grabbed her, then choked and beat her, finally arrested her. Several in the crowd rushed to her defense. They too were clubbed and arrested. Highway patrolmen hidden inside the building, and more sheriff's deputies joined in the fray. The protesters were attacked with clubs, tear gas, mace, and water hoses.

By the time the smoke cleared away, the Chamber of Commerce had been burned to the ground, two police cars and the courthouse were severely damaged by smoke and fire, and several natives and police were injured. Over 30 persons were eventually arrested and charged with arson, felonious riot, and assault against police officers.

Although the fires started long after Sarah was safely tucked away in her jail cell, one of the crimes for which she was sentenced was "riot with arson".

Regina Dixon-Brave, a 33-year-old Oglala mother of four, was attending college before she became a Custer defendant. She testified at Sarah's trial as to why she had gone to Custer: "I was just against what happened to Wesley and I couldn't imagine my children having to grow up and having that happen to one of my sons. I thought of my dad and grandfather and all those Indian people that had it happen in the past. For once, we could stand up – and it was about time we stood up. I went because I am a mother."

Tragic circumstances arise even indirectly from the Custer protest. Herb Rittenbaugh, a white man, gave testimony in court favorable to the three Custer defendants. August 10 he was found dead, apparently a suicide. He had been indicted for perjury in connection with his evidence.

It was during the trial of these defendants that there was a police riot in the courtroom of Judge Joseph Bottum. Despite what the defense felt were serious errors, she, High Eagle, and Kenneth Dahl – a white man who is a friend of the Bad Heart Bull family – were found guilty.

On July 29, Bottum sentenced High Eagle and Dahl to 5-7 years in prison, and Sarah Bad Heart Bull was sentenced to 1-3 years. He revoked their bonds, and refused to allow them free on bond pending their appeal.

In state court in Pierre, South Dakota, John Carlson pleaded guilty to arson of the courthouse in Custer during the protests there and received a sentence of 1 to 3 years. He had engaged in plea bargaining after originally facing the possibility upon conviction of six life sentences.

"Because Sarah Bad Heart Bull has no friends in high places, no money, and no power, she is now in prison. . . With all of the explanations given for the pardon of Richard Nixon, and with the new definitions of the quality of mercy, I would hope that someone could define to Sarah Bad Heart Bull and to her family the new definition of mercy, because I am unable to do so," Abourezk said.

The state supreme court has already denied an appeal. The next step is a writ of habeas corpus in the federal courts. But even this is expensive and time-consuming – it will take from four to six months before the transcript is available for the appeal of the conviction.

Sarah was given 24 hours to find homes for her four younger children. "I went outside and the kids were all crying, but you know it hurt so bad I couldn't even cry," she says. She referred to the judge: "That man can cry one of these days himself. I'll never cry at what he sentenced me – I never will. But when I'm in my own cell, I'll cry. I won't cry in front of Janklow [the prosecutor] – I'm woman enough. I can take what they give me."

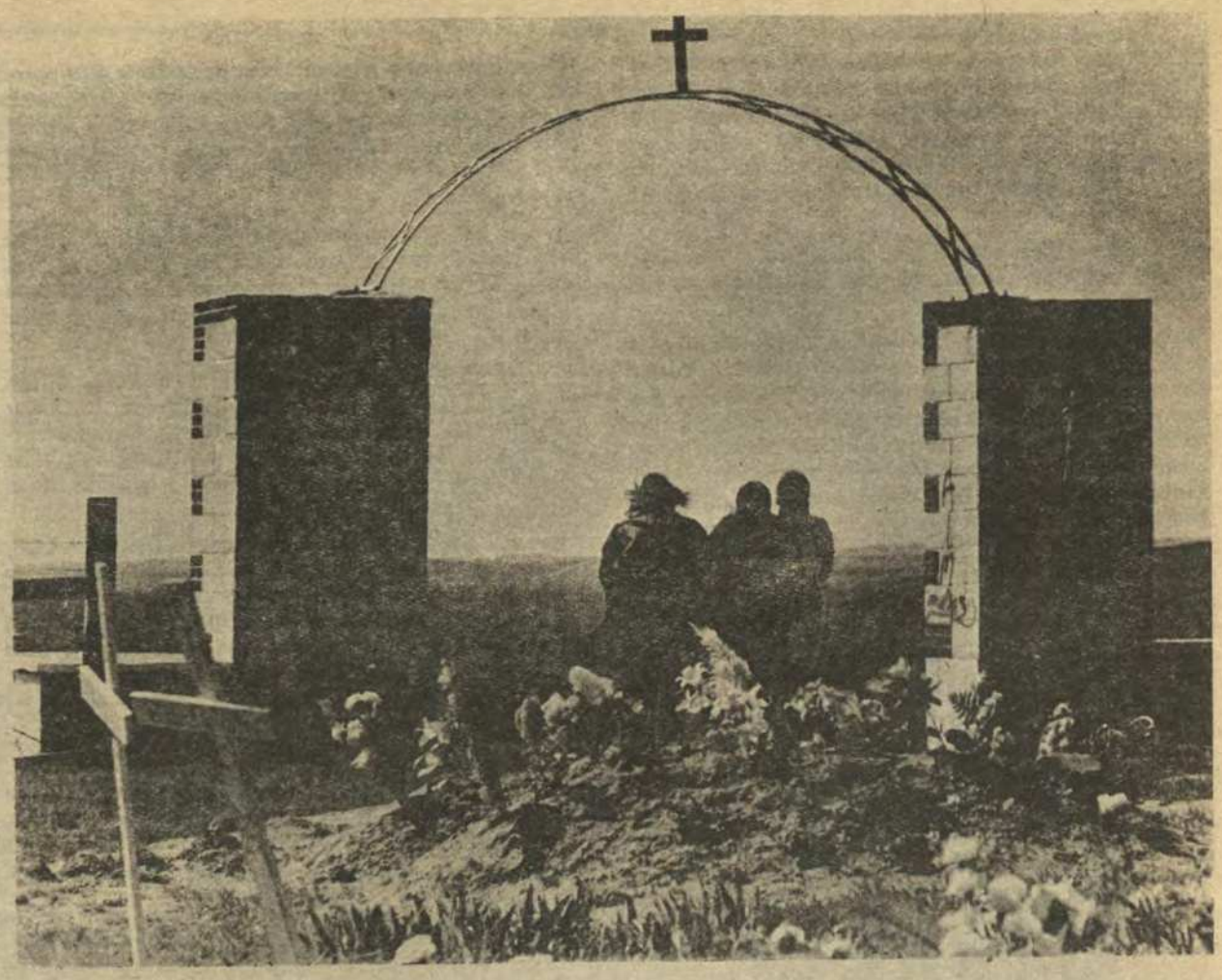
Schmidt? Oh yes. He was acquitted even on the second-degree manslaughter charge. He never had to serve a day of time in the killing of Wesley Bad Heart Bull.

Contact the Free Sarah Committee – with a contribution – to see how you can help in your own area. Write:

Free Sarah Committee
American Indian Movement
Box 3677
St. Paul, Minnesota 55101
[telephone (612) 227-0651]

Moments later, Sarah Bad Heart Bull has been pulled behind the line of police, is being choked by one of them and beaten by another. Her glasses are missing, her jacket has been torn off. She has just one foot on the ground. Robert High Eagle is seen in the foreground, reaching toward Sarah trying to assist her. Ken Dahl, wearing wire-rimmed glasses, is visible to the right of High Eagle. All three are now in prison for this incident. The police then started gassing and macing the stunned crowd, who turned and ran, chased by the heavily-armed police. (Incidentally, this photo was made available to newspapers by United Press International – with the figure of Sarah cropped off, making it look as though the attack is being initiated and led by High Eagle.)

ONE YEAR LATER AT WOUNDED KNEE



—Bill Davis/Minnesota Daily photo

Mourning the Death of Buddy Lamont at the Burying Ground, Wounded Knee

(Jose Barreiro's sensitive observations of the trial at St. Paul were printed in the last issue of AKWESASNE NOTES. Recently, he visited the Pine Ridge Reservation to understand the background of the trial. Excerpts from his journal appear here. His journal was first published by the Minnesota Daily *the student newspaper of the University of Minnesota. We are grateful to the author and his paper for these insights.)*

* *

The next day would be the first anniversary of her son's death. Buddy Lamont was killed at Wounded Knee. His mother was one of the first people we visited. This night Agnes Lamont is dressed in black. She is short and stocky. Sometimes her lips purse tightly and she shakes her withered face and rubs her eyes. "He was my only son," she said. "I have four other girls, but he was the only boy."

"You boys come in and sit down," Rose, one of her daughters, had said. "I'll put on some coffee."

We sat around the kitchen table.

A little later, Ellen Moves Camp arrived. Rose had called her. "Some newspaper people are here," she had said. "They want to talk about Wounded Knee."

Actually, the three women needed no prodding. The siege at Wounded Knee, the death of Buddy Lamont, the many incidents and anecdotes stemming from Wounded Knee – and, of course, its tense and violent aftermath – were still very much in their minds.

"Oh, they lied to us," Mrs. Lamont shook her head. "Those FBI and those negotiators. Boy, they were liars."

"You know what they did?" Rose cut in. She was standing, pouring some coffee. "When we finally got permission to bring his body out. Well, they promised us not to throw my other sister in jail. You see, she was nursing a small baby. But now, the moment she walked out, they grabbed her. They put handcuffs on her. The welfare people tried to take the baby away. Boy, you should have seen my other sister fight for that baby. She took it away from the welfare people. Of course, we had to put the baby on the bottle."

Ellen Moves Camp smiled at Rose. "They even searched the baby's diapers, didn't they?" she said.

"Yeah," Rose laughed. "What did they think? We were going to put grenades inside her pants?" All three laughed loudly.

"Some of these people here," Rose said. "They're so afraid of us militants. Gee, I don't even know how to use a gun!"

'That's right," Ellen Moves Camp said. She is a large woman with powerful shoulders and a wide smiling face. She laughed. "Boy, those marshals were ashamed when we finally came out. Here they had the FBI, the Marshals, the BIA police, the 82nd Airborne, the white ranchers – and there was only a handful of us!"

They were silent for a moment, savoring the anecdote. Finally, Mrs. Lamont sighed. "I hate them," she said. She closed her eyes. "Oh I just hate them."

Ellen reached out and held her arm. "We're going to win, Agnes," she said. "You just wait and see. Those boys didn't die for nothing."

Mrs. Lamont started to cry. "My great grandparents were killed at the first Wounded Knee," she said.

"I know, Agnes," Ellen said.

"The old woman lowered her head and her chest jerked. "My mother remembered it," she said. "She used to tell us about it. 'They killed a lot of us in that one,' she'd say."

Ellen nodded and patted her arm.

"Buddy told me," Mrs. Lamont said, "Bury me in Wounded Knee. If I get killed during this thing, I want to be buried there."

"After he was killed, the Government people had him for ten days," Mrs. Lamont continued., "I wanted to bury him at Wounded Knee and they wouldn't let us go in. He was just puffed and bloated and they kept saying 'tomorrow, tomorrow, tomorrow.' Boy I fought with them."

The women talked for a while about Buddy, what he had been like, how he had gotten involved in Wounded Knee, and then Rose left the kitchen and came back with a tape recorder and some photo albums.

We listened to the tape. We sat around the kitchen table and the noises of Wounded Knee came forth from the tape recorder. There was lots of gunfire. The chronology of the tape picked up, and the three women listened carefully. Mrs. Lamont lowered her head. The voice on the tape said: "April 27. Oglala Sioux Buddy Lamont was killed today."

The old woman flinched. Rose shut the tape off.

"It'll be a year tomorrow," Ellen Moves Camp said.

"One whole year," said Mrs. Lamont. She paused. "Oh I'm so angry inside."

The next morning we drove them to Buddy's grave at the cemetery at Wounded Knee.

That day we drove onto Pine Ridge Reservation from Rapid City and within half-a-mile a BIA police car stopped us. "We check all strange cars coming through," the cop said. Bill Davis [the photographer from the *Minnesota Daily* whose photos ap ear with this article] was driving. He grabbed his camera and took the cop's picture. The cop backed off.

From then on, wherever we travelled on the reservation, we felt watched. Police cars would pass us and then a few miles down, around the bend of the road, there would be another cop parked, radio in hand. Pick-up trucks with rifles mounted on the back-rack drove by and the men inside stared carefully. "You made the mistake," Ellen Moves Camp would tell us later, "of visiting the wrong side first. That marked you."

That first day, on the way to the town of Pine Ridge, we had stopped at Wounded Knee. A middle-aged woman was there, laying flowers on a grave.

"Are you from the press?" she said.

I nodded. Bill had gone off to shoot pictures.

"Let me tell you," she said, "things are rough. They shoot people's dogs and people's horses. And they beat you up if you don't agree."

'Are you afraid?" I asked.

She nodded. "I'm afraid of the goons," she said. "You see, I was for Russell [Means]. I thought he would win. But these people, they broke into the boxes with the ballots and now it's useless. All of us that were for Russell are afraid."

She started to walk away.,"Listen," she said. "Don't print my name."

"I don't even have it," I said.

She laughed. "Well, that's good then," she said. "Goodbye."

The graveyard at Wounded Knee is on top of a hill and the winds from the four directions buffet it. The wind moans at you. It blows your hair and makes the sand swirl. Mrs. Lamont, dressed in black, stood by a grave full of flowers and wailed for her lost son. She is a husky old woman, slightly bent – only recently she was injured when struck by a car loaded with goons. But her voice rode over the wind.

I don't know what she said, for she spoke in Lakotah but as the wind died down her own voice softened and Ellen moved closer, engulfing her in a hug. They walked that way to the waiting car and we all drove back to Pine Ridge. The old woman spoke:

"I remember the last day I saw him. It was when the roadblocks had opened up and I brought him in some food. He came walking down that hill there (she pointed) – I could tell him by his walk. My son, why don't you come home with us?' I said to him. 'The roadblock's open. You could have a good night's rest.'

"He said: 'No, I'd rather stay.'

"We brought him some food and he sat there and ate it. 'I can't leave,' he said. 'I got some nieces here. I have my sister. I don't want to leave them behind. I came here to stay and I'm going to stay.'

"Oh, I just begged him to come out. You see, the next day the roads closed up again. I think he must have known that. Oh, he would have been out, you see. He would have been home.

"He told me before I left: "Dick Wilson's not going to get me out of here alive. I'm here to fight to win. You wait and see – we're going to win."

"That was the last time I saw him alive. On that hill. My mother always told me about that hill. She was 12 years old. 'There they put the cannon gun and shot so many of us,' she would say."

The night before the siege at Wounded Knee came to an end, Ellen Moves Camp got into her beat-up old car and drove through the hills of the reservation to a rendezvous point where she picked up Dennis Banks. The marshals were to come into the compound the next day, and it was a point of pride to the Wounded Knee defenders that Dennis Banks should get out. Ellen drove away with him through the hills until she hit a road, then she headed north into Rapid City. A car followed. She had Banks lie low on the seat so he wouldn't be seen, but even so, shots rang out from the other car.

Ellen looked forward and drove. A bullet shattered her window. The car pulled up to her and tried to ram them off the road. She was scared, Ellen says, but she had her pipe with her and she prayed. Soon the other car dropped back and out of sight.

Chris Fire Thunder lives in one of the many "cluster-housing" projects the government has been putting up all over the reservation. He met us at the door of his house. In his arms he held his two-week old baby girl.

"How're things going," Ellen greeted him.

"Not too bad," he said, letting us in.

We sat down in the living room. On the wall hung an American flag upside down. Next to it was a picture of Dennis Banks overlooking the cemetery at Wounded Knee.

At first, the young man didn't talk much. His wife made some coffee and sat off to the side. There was a TV set on, but no one paid much attention to it.

"Hey, some goons broke my bedroom window a couple of nights ago," he finally told Ellen.

Ellen's son, Louie, was with us. He laughed. "What happened?"

Chris puckered his lips and made a sound. "I was sitting here, watching TV," he said. "I heard the crash and went out to look, you know. There were three guys out there."

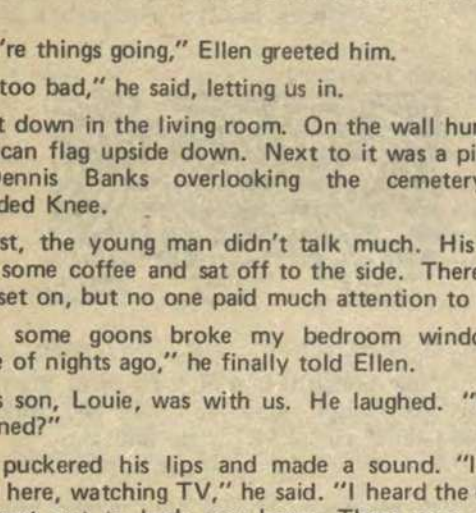
He had gone out, he said, and one of the men jumped him. They fought for a few minutes and he got the goon on the ground. "I was beating the shit out of him," Chris grinned. "But then another one of them guys pulled a knife. Man, a big one (he spread his palms) almost like a bayonet. I thought I'd had it, man, but then she came out."

Chris pointed at his young wife, and she smiled sheepishly.

"She came out there with a big lead pipe, man," he laughed. His wife laughed too. "Man you should have seen those guys back off!"

Ellen and Louie laughed. The thought of the small woman brandishing a lead pipe was too much for them and Ellen kidded her. The young woman smiled and turned red.

"Boy, you poor kids have had a lot of problems," Ellen said. She turned to me: "This guy's been arrested about 20 times since Wounded Knee," she said. "Gee, it seems every time we turned around there for a while he was getting thrown in jail."



Chris laughed. "I got a stack of court papers two inches thick in the bedroom."

We had the coffee and I asked Chris if he had gotten beat up.

He shook his head and sighed. "All the time," he said. He pointed to his wife again. "Jesus, she was eight months pregnant – that one time when they stopped us. Remember?"

She nodded.

"That time they maced her so damned much she had the stuff running down the side of her face."

Ellen shook her head. "God, they make me so damned mad," she said. Then: "Listen, we pray for you kids a lot in our ceremonies."

. . . They talked for a while longer among themselves. It really wasn't my interview as such. They talked about informers and traded people's names who had switched sides recently.

– Bill Wilson/Minnesota Daily

"That one's name is Mary Ann, ...(right) A few months ago a bunch of goons got drunk with their M-16's and went up on a hill by Wounded Knee... and shot her right eye out..."

"I'm getting so I don't trust anybody," Chris told Ellen. People are getting bought off right and left."

Ellen nodded. "I don't know if you knew this," she said. "But after Wounded Knee, when my boys Sammy and Jimmy got thrown in jail, the FBI people offered them $800 to testify against me."

Chris shook his head and spit out a piece of tobacco. "They're sick, them people."

Ever since the siege at Wounded Knee, it has been one of AIM's claims that many of the weapons, ammunition, flares and equipment brought in by the federal personnel were left behind and are now used by Dick Wilson's police force and Goon Squad.

Chris talked about a nearby white rancher, a John Bircher, who constantly shoots off flares in the night. "He must be really scared of some wild Indians sneaking up on him," Ellen laughed.

While they were talking, three little girls had come into the living room and were running in and out, playing.

"Yeah, they get so scared they shoot at anything," Chris said. He pointed at one of the little girls and nodded, but was silent until they ran out again. "That one's name is Mary Ann," he said then. "A few months ago, a bunch of goons got drunk with their M-16s and went up on a hill by Wounded Knee."

"They heard AIM was coming," Ellen cut in.

"Yeah," Chris said disdainfully. "They always got rumors going back and forth that AIM's going to invade the reservation, like they was an army or something."

"Anyway," he went on, "they sat up there and when they saw four or five cars coming in a row, they got jumpy and started shooting. Mary Ann was riding in one of the cars with her father and they shot her right eye out . . ."

"They're so stupid," Ellen hissed.

Chris shook his head. The young girls had run into the room again. "She wears a glass eye there now," he whispered.

"You know, Ellen," he said later, "her father wanted to kill that goon."

"I would too," Ellen said.

"But you know what she said?" Chris asked. "She told her father, 'I forgive them for what they did.' She doesn't hold any grudges, that one."

Ellen grinned sadly. "Well, they always pay for what they do," she said. "You wait. They'll pay back double."

We left Chris Fire Thunder's house and made our way toward the town of Manderson. Here and there along the road, we could see more of the "cluster-housing" projects.

"People get pressured off their land," Ellen claimed, "and get herded into these projects."

A little while later we stopped at the home of Eugene White Hawk. He is one of the men, who during Wounded Knee, flew to the United Nations and tried to establish contact between the Wounded Knee defenders and other countries. His mission wasn't very successful, he says, but since then many foreign nations have offered support to AIM, and several have volunteered assistance.

The White Hawks live in a small two-room log cabin. He and his wife greeted Ellen with wide smiles, but looked us over carefully. Three nights before, some cops had busted into their daughter's house and arrested their son-in-law. They were still a little jumpy.

Ellen Moves Camp

"Hey!" Ellen suddenly yelled. "Come here quick!"

We ran to the window just in time to see a cop in the driveway next door put a rifle in his back seat.

"He's got one of the M-16s," Ellen said. "Get a picture!" she yelled at Bill. "Quick!"

Bill hurried to focus his camera, but the gun had gone out of sight.

"Jeez, it would of been good to get a picture of that," Ellen said.

"Shit, all these cops around here got them rifles," Chris said, matter-of-factly. He didn't think it was worth all the fuss.

The woman spoke to Ellen in Lakotah. Ellen shook her head and the words that she spoke seemed angry. Then she spoke in softer tones. She must have reassured them about us, because the woman walked to a dresser in a corner of the room and brought out a wrinkled piece of paper. She handed it to me.

"Please, tell people about these things," she urged. "It is very wrong what they are doing."

The paper was a sheet torn from a notebook. Someone had written on both sides of it in pencil and it was almost illegible.

[continued on next page]

It turned out to be a description of the arrest and subsequent beating of their son-in-law. It was apparently written by him and the reason the words were so stilted was that the cops had stood with their boots on his thumbs and broken both of them.

They had opened the door of his house with a knife, accused him of smoking marijuana and handcuffed him. They had then taken him a fourth of a mile out of town and beat him. "They asked me," the paper read, "if I was an AIM. I didn't say nothing. Then they kicked my stomach hard."

Later, they took him to jail and gave him 24 hours to leave the reservation.

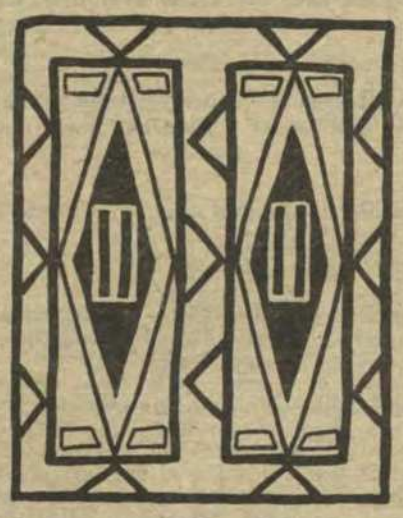
Mrs. White Hawk wanted Ellen to take the paper to one of the AIM legal workers and make an affidavit. She was going to press charges, she said.

"He's an Arapahoe," the woman explained. "He's not a Sioux from here, so they ran him out."

Eugene White Hawk looked impassively out the window. He crossed his arms. "He's not the only one," he said, pointing out the window to some boys playing basketball down the hill. "They're all out of school," he said.

"So are my kids," Ellen added.

"Why?" I asked.



"All the kids who attended Pedro Bissonette's funeral were suspended," she said. "They also cut my youngest son Michael's hair. God, that made me so mad!"

Eugene White Hawk remembered the Indian Reorganization Act of 1934 [which established the current form of elected tribal council]. "Very few people voted," he said. "They were so against it that they boycotted it. Of course, they didn't understand that if you boycott a referendum, you lose it."

"People liked their traditional chiefs," Mrs. White Hawk said. "It was very personal."

Mrs. White Hawk pointed to the wall, to a framed photograph of Dennis Banks. "AIM is the first group in my lifetime," she said, "that really cares. They said: 'Enough!' "

"Before AIM, we had nothing," Eugene White Hawk said. "We were alone, without direction. An Indian got kicked — he had no where to turn. He got cheated out of his land. He had to shut up. Now these things are going to stop. We'll have to fight — but we will win."

"For so long," Mrs. White Hawk cut in, "all we could do was drink. Our own people killing each other with drunkedness. I will tell you, I would get so blue. I would look around to all my relations and see the troubles, see all the evil things. I drank too. I would go to a bar and get drunk. And even now, sometimes I still get blue and get drunk. But not as much. I have something else I can do now."

She pointed to the picture of Dennis Banks hanging on the wall again. "That man was sent to us," she said. "He listens and he acts. We have hope."

We got up early the again the next morning. It was to be our last day on the reservation and we still had much work to do. Although most people agreed that Dick Wilson probably wouldn't let us come near him, I didn't want to leave without trying to interview him.

During the previous few days, we had traveled extensively through the area, stopping here and there to talk to people, and all the time we had felt the presence of either police cars, or of dark, mysterious men in brand-new pick-up trucks who glanced at us quickly and moved on. Several times, Bill had stopped to shoot pictures with the cops around, and always there was the feeling in the air that things were about to erupt. Sometimes the cops seemed as nervous as we were. Other times they looked hard-faced and tough. Always, there was the feeling of suspicion and near-violence that constantly seems to loom over this reservation.

Sometimes you could feel it in the weather, like in a movie, when suddenly the wind dies down and everything becomes still, deadly. Or maybe it was in the way a car may pass you, sort of quick, cutting into your lane a bit too soon. Three pick-up trucks might circle an area for half-an-hour, then quickly disappear. Once a car headed straight for us only to veer back to its lane at the last moment.

There were several beatings of people by police in the time we were there, and a week before we got there, a young woman had been killed, shot in the stomach at point-blank range. She was white, a school teacher who had supported Russell Means in the last tribal election and had since been considered in the AIM camp. Her death had been ruled accidental, but nobody that we talked to believed that. There was a witness who had seen the body at the hospital and he claimed to have seen bruises on her arms and neck.

That day, we drove to the town of Porcupine, where Sarah Thunder Hawk lives. Several people had urged me to visit Sarah Thunder Hawk. She is an AIM supporter and organizer from way back and since her home is fairly centrally located on the reservation, much of what happens there gets channeled through her.

Sarah is a big, graceful woman who moves at a steady even pace. I sat with her, sipping coffee, at the side of her house, overlooking some grazing cows.

"Things are getting tense again," she said softly., "Some of the incidents seem small, but they're building up. One young boy down the road got his hair cut off by some white ranchers. The goons are all armed again."

"Do you expect trouble soon," I asked her.

She nodded and smiled, looking past me to a dog that was walking by. The dog walked on three legs.

"They even shot him," she said, shaking her head. "These people get drunk. Then they come around and shoot everything you have. A person has to live here to understand.'

"Are you afraid?" I asked.

She shrugged. "We don't have time for that anymore."

The trouble on the reservation, Sarah explained, is that many people live alone, out in the country, and they feel isolated and unprotected. A quick visit by the goons can do a lot of damage. People get scared.

One of the things AIM wants to do is organize patrols with radio communications so that, at a moment's notice, many people can converge on a trouble spot.

The goons are cowards, Sarah said. They get scared if they see more than two of us together.

What about the cops, I asked.

Same thing, she smiled. That day, there were a couple of white legal workers at her house. They were taking an affidavit from a young Indian man who had been beaten and shot at the night before. One of them stopped to chat and I asked his opinion of the situation.

"The way I see it is this," he said readily. "Wilson was just one more corrupt tribal chairman, controlled by all the various economic interests here. Suddenly there was an organized opposition to him, and the federal government over-reacted. That was Wounded Knee.

"It was like the beginning in Vietnam. A massive over-reaction at the request of the existing government. The parallel is very clear. In effect, this reservation is a country within the country. The law is different, the definitions of citizenship are different, and the conditions for exploitation by outside interests — in this case the white ranchers, the bureaucracy, the tourist industry — are the same.

"You see, the Government thought this whole Indian question was resolved years ago. They freaked out when all of a sudden they heard organized Indians say, 'Half this state belongs to us.' "

What do you think is needed?" I asked.

He laughed. "Well, you have to get rid of Wilson," he said. He was walking back to a typewriter he had set up on the hood of his car. "It's like Thieu. It all focuses on the big man. You can't worry about health clinics or that sort of thing when you're fearing for your life.

The young Indian who had been beaten up the night before now came up to the car. His name was Jerry. He was tall and lanky, with long hair and feathers. He was still a little shook up. His face grimaced easily and sudden noises seemed to make him jumpy. With one hand he held his right ear, which was swollen. He couldn't hear very well out of it and had to turn and listen with his left.

He had been visiting someone on horseback, he said. When he came out of the house, the horse had unhitched itself and walked away. Jerry had been chasing the horse when a pick-up truck with two men inside pulled up.

"What're you doing?" one of the men asked.

"Chasing my horse," he said.

They got out and grabbed him. One punched him in the stomach."I don't like long-haired Indians," the man said.

The other one punched him in the side of the face. Jerry jerked himself loose and ran.They threw a wrench at him. He picked it up and kept on running. Then one of the men got a rifle from the pick-up.

"I thought they were kidding," Jerry said. "But they started shooting."

They shot at him four times. He ran down a hill and another, zig-zagging until he reached a house. The men had driven away.

While we had been talking, I had been watching the road that runs through Porcupine on the way out to Wanblee where Ellen's family lives. Two cop cars flashing red lights had zipped by. There were several people standing around the porch of Sarah's house. Some of them had begun to look uneasy. Suddenly, a beat-up old car turned off the road and onto Sarah Thunder Hawk's land. It jumped and bolted through the potholes and skidded to a stop in front of the house.

"Hey! the driver yelled. "The skins got it on with the pigs at Sioux Falls!" Several people walked toward him. He was a heavy-set young man, and very excited. Between breaths, he told about the courtroom confrontation in Sioux Falls, where the Indian spectators at the trial of some AIM defendants had refused to stand for the judge.

We talked to Ellen. This latest development changed our plans. Now she wanted to go home to check on her sons. So we didn't go to see Wilson.

When we got back, Jimmy and Eileen were alone in the house. Sam and Louis had driven to town.

"What happened?" Ellen asked her.

"We don't know," Eileen said. "But there's been cops and goons going back and forth all over."

She pointed down the hill to a dirt road.

A little later Sam and Louie came back. "They drove onto Chuck Chip's place," Sam told his mother. "They dragged him out and dumped him over in the street at Wanblee."

"Boy, they're just provoking us," Ellen said.

Down the hill, a cop car drove by on the dirt road. As he passed from sight, two pick-up trucks went by slowly.

'You guys better drive to a phone and call Sarah's," Ellen said. "They better send some guys over here to help out."

Sam and Louis got ready to leave again. Sam put his deer rifle in the floor of the car.

We got ready for our trip

Bill drove. We were on our way down a highway that runs through Wanblee. Around a bend, just before the town, a bunch of cops were parked. There were also some pick-up trucks. About 15 men stood around with rifles and shotguns in their hands.

Bill drove slowly. "Should I take a picture?" he asked.

" They'll shoot at us," Ellen said softly.

"The cops looked at us and pointed, but didn't make a move. We drove on. At the other end of town we could still see the cops. They were a mass of blue out there. There was no wind. Everything was very still.

The "Indian Question" And Politics In South Dakota

The "Indian Question" is playing a big part in South Dakota electoral politics this year. Republican attorney-general candidate William Janklow made a big hit by saying that the State of South Dakota should terminate the non-profit status of AIM chapter incorporations. "It is ridiculous that while AIM continues to threaten and abuse power, the attorney general allows them to hide under corporate charters," he said.

The Republican candidate for governor, John Olson, has called upon incumbent governor Richard Kneip to explain how he will protect South Dakotans from possible violence from AIM demonstrations. "These militants must not be allowed to continue to ransack the state with their violence and malicious tactics," Olson said in a prepared release. "Nearly every time several AIM leaders gather, violence of some sort erupts, endangering lives and property."

On August 22, Kneip – a Democrat running for re-election this November, telegrammed U.S. President Gerald R. Ford describing "an increasingly serious and volatile situation developing around South Dakota Indian reservations." Kneip said "legal restraints" created by federal law and federal court decisions "severely restricts the ability of local and state law enforcement to deal with growing lawlessness in reservation areas."

Kneip charged that fearful citizens might take the law into their own hands, and asked that Ford's "immediate attention be given to serious threat to public order and legal processes." He said that the state stood ready to cooperate.

The day following that in which the telegram was made public, the Standing Rock Sioux Tribal Council met and drafted their own telegram to Ford, strongly objecting to Kneip's statements and its implications. It said Kneip's statements were made without consultation with tribal government, and that it "believes these allegations to be vastly overemphasized with a political intent to diminish sovereignty in the area of law and order."

The council said that it would resist any attempt to diminish or encroach upon tribal sovereignty as established by treaty. It added that "common courtesy requires that the governor of South Dakota apologize to the people of the Standing Rock Sioux Tribe."

Both telegrams were routed to the Interior Department for response, and typically, by September 13, no responses had been made.

Pierre has been uptight about the number of Indians in town for the trials. Selected workers in various offices have been selected as "security agents", and have been given little red notebooks marked "FOR YOUR EYES ONLY" instructing them how to handle emergencies, and outlining contingency plans. The first activity is to report on "any suspicious activity" – giving rise to visions of hundreds of secretaries involved in amateurish cloak-and-dagger spy strategies. Officials in the state capitol began to take pictures of everyone who entered the building.

The "Indian Question" was even in the churches. When it was announced that some of the Custer protest trials would be held in Pierre, the following statement appeared in the Sunday bulletin of the Sts. Peter & Paul Roman Catholic Church of Pierre: "The pastor wants the parishioners of Sts. Peter and Paul to know in advance that aid and comfort will NOT be provided while this circus is in Pierre. This rule will apply to all those involved in the trials, as well as those who come to witness them. Such individuals will not, under any circumstances, be permitted the use of parish property, whether the Church, the School, the rectory or the grounds. Neither shall we supply shelter anyplace else. Trespassers will be removed from the premises by force if necessary."

White folk in South Dakota are trying hard to keep the lid on the pot. When David Hacker, a writer for the *National Observer,* interviewed Alice Lentz, office manager for the Winner, South Dakota, *Advocate*, a weekly newspaper in Tripp County, he was told, "We have no problems with Indians here in Winner – it's just out west where they have trouble. No one goes out on the reservation at night." "Out west" meant the Rosebud Reservation a few miles down U.S. Highway 18.

It was shortly afterwards that Hacker encountered another of Winner's 3,789 residents, police chief Cliff Mulso.

"You spend 200 years and you can't civilize them savages," said Mulso. "If you guys from the East would stay back there where you belong and let us take care of things, it would be okay."

And with that, in unmistakable terms, Mulso ordered Hacker out of town because he had talked to Mrs. Lentz about the state of Indian/white relations in South Dakota.

Actually, South Dakota is at the explosion point in a red-and-white rerun of the 1950s in Mississippi. A tour of the state from east to west indicates that native people are fed up with white justice; whites are frightened of Indian power.

Skirmishes continue. On February 9, five white youths allegedly beat up two Indian girls, both graduate students at the University of South Dakota in Vermillion. Three of them go on trial in August.

Says one white resident of Mission: "Todd County is an armed camp. Cars were riding back and forth with shotguns sticking out the windows."

Mission is a "border village" on the edge of the Rosebud reservation. A week before the Mission incident, Sherry Red Owl, registrat at the 700-student Sinte Gleska College in Rosebud, had said:

"I think our reservation is ready to blow. The kettle is steaming. Just any day it's going to erupt."

Ammunition sales in Sioux Falls increased 800% immediately after the April 30 courthouse battle.

The official view comes from Don Loudner, coordinator of Indian Affairs for the state of South Dakota. He underscores Governor Richard F. Kneip's view that law and order will prevail. "I really don't think our problems are as bad as they're put up to be," he says. Still, Loudner, who is of Sioux heritage, has to admit that the people of Sioux Falls were "downright scared" when Indians came into town for the trials held there.

Another state official, whose name was withheld, said that a lot of in-fighting among various Indian factions had well-off whites in the background.

"I think a lot of our ranchers realize that if the Indians band together, seek funds, and get agriculture going, there's a good possibility big ranchers will lose all this leased land and eventually be phased out. I think some ranchers are just keeping them stirred up, playing one Indian group against another," the official said.

But if there is trouble, the people of Winner say they aren't much worried.

Steve Pevar, a legal aid lawyer, recalls, "I remember going to court in Winner several times during the Wounded Knee occupation and hearing people say, 'Well, if they come to this town, we'll be waiting for them.' "

Meanwhile, Back At Pine Ridge .....With Dick Wilson

Pine Ridge, South Dakota – When Russell Means had charges against him dismissed in St. Paul, friends and family in Porcupine, a village near here, announced plans for a victory celebration.

When Dick Wilson heard of the victory celebration, he ordered BIA police to prevent it from happening. When they said they couldn't legally do so, he "declared martial law" and said all police activities would come under his direct control. He said that a 1972 tribal resolution giving him "authority to do whatever is necessary to put down any American Indian Movement uprising" was all the authority he needed.

"Martial law is continuing," he said September 26, and "all BIA police cars are now being operated with the normal officer accompanied by two goons. Since my police have been given that name, I am now calling them by that title and everything is now in fine order."

"I want to emphasize," he added, "that this move was taken in order to maintain law and order on the reservation."

This was too much even for BIA superintendent Al Trimble, who said that Wilson's declaration was based on "a nebulous action of the tribal council" and that law and order remained under the direction of the BIA police.

But Wilson had other ideas. Accompanied by his private army, known locally as the goon squad – paid for by federal funds – he strode into the BIA jail and took it over, releasing 20 prisoners held at the time. He said that his private force of nearly 75 men would see that AIM was kept away.

Del Eastman, special agent in charge of BIA police on the reservation, whose jail had been taken over, said the released men would be re-arrested. William Clayton, U.S. Attorney for South Dakota, said he would see if any laws had been violated by Wilson. Al Trimble said that Wilson's act was that of a "vigilante." However, so far no action has been filed against him.

Trimble was appointed to his post at the request of Wilson and the full council after the occupation of Wounded Knee had been concluded.

Wilson has demanded Trimble's removal. He asked BIA area director Charles James to make the change, citing "obstruction of justice, selective enforcement of the law, discrimination, and incompetence" as the reasons for his actions. In his defense, Trimble wrote the tribal council a letter saying that to the contrary, he was being criticized for being non-political and following tribal and federal law.

Wilson hadn't been hitting it off well with Trimble since last Labor Day when one tribal official was arrested and 247 cases of beer were confiscated. It was said that Wilson and the goon squad were selling the beer at a local rodeo. However, beyond that, Trimble couldn't do much – other federal officials, including the U.S. Attorney, did not file any charges.

Nonetheless, the celebration came off at Porcupine without incident. A large tipi was erected, a beef killed, and Russell Means, a native son, was welcomed in honor by about 300 persons. Wilson and his men didn't show – "I can't fight AIM and the Government too," he said.

Wilson's hand was strengthened, though, just before these incidents when another foe of AIM, U.S. District Judge Andrew Bogue, who dismissed September 23 a civil lawsuit arising from the February 7 Oglala tribal electio in which Russell Means lost by 200 votes. Bogue said it was not a proper suit for federal court.

Wilson and the tribal council were charged with allowing ineligible persons, including whites, to vote, that in certain polling places more than twice the number of ballots were cast than the number of names registered; absentee ballots were improperly handled. Furthermore, they were said to have threatened physical harm to voters who didn't support Wilson.

The plaintiffs said a list was circulated of "homes to be firebombed following an unsuccessful Wilson election"; that welfare recipients were threatened with a loss of benefits if Wilson were not re-elected, and that alcohol, money and food were "offered and delivered as bribery to secure votes for Wilson."

Means had said he would probably not renew his bid for council president even if a new election was ordered. Means had indicated he would throw his support to the tribal treasurer, Gerald One Feather, who was Wilson's predecessor in office.

Bogue's ruling makes it unnecessary for him to rule whether these offenses took place or not. Despite the fact that the Justice Department had seen fit to enter a "friend of the court" brief more or less supporting the allegations, Bogue not only had refused to allow it to do so, but was now saying "the plaintiffs have not plead a federal case here." An aide to the judge said that the plaintiffs had failed to demonstrate that remedies under tribal law had been exhausted.

Bogue wanted to say that the tribe, not the federal court, had jurisdiction of the matter, but he had to carefully skirt the question of sovereignty. Thus he wrote that the matter belonged to the tribe "in view of their unique ethnic and cultural identity to exercise original jurisdiction in intratribal controversies."

Mario Gonzalez, one of the candidates against Wilson in the last tribal chairman's election and now a chief justice of the Rosebud Tribal Court, said that Wilson represented the "special non-Indian interest groups who put him in office. I feel that Congress should pass a law making it a felony to contribute huge amounts of money to tribal candidates as they did in the last election held at Pine Ridge."

Wilson has been trying to strengthen his hand with the help of Senator George McGovern through a $14.77-million program of "public works." McGovern sponsored a bill in the Senate which, he said, stemmed from proposals made last summer by Wilson that Pine Ridge might serve "as a model for Indian development all over the country." However, testimony in a committee hearing by Morris Thompson, commissioner of Indian Affairs, indicated that the measure would require reprogramming the BIA budget, taking from one pocket to put it into another. This, he said, "would not be in the best interest of all tribes."

THE GREAT CANADIAN MYTH-FIT?

"God Save the Queen" — The Native People's Caravan Meets Canada on Parliament Hill September 30, 1974

Ottawa, Canada — The myth of a non-violent benevolent Canadian policy toward its native people was smashed to pieces September 30 in front of Canada's Peace Tower on Parliament Hill.

As distinguished guests gathered in pomp and cere mony in the stately Senate Chambers to hear Chief Justice Bora Laskin read the "speech from the throne," about 200 native demonstrators clashed with Royal Canadian Mounted Police in a first attempt to break through a barricade 150 feet from the main entrance of the Centre Block building where the Senate is located.

Reserves of RCMP sped to the scene to hold the group in check. Later, after the chief justice left the Hill, a second confrontation occurred, and then a bloody attack was made on the demonstrators by the beefed-up RCMP security, plus the Canadian Riot Squad, and 100 soldiers with bayonets fixed and ready.

The incident was one episode both of Canadian history and part of the Native People's Caravan which had journeyed across their land burdened with a century-ful of grievance. For Canadians, it was the first use of their riot squad and the first time the armed forces became involved in a civilian demonstration. For native people, it was the first time that a long campaign of passive resistance had swung over into active and violent attack.

The demonstration started peacefully enough early in the afternoon from a building on an island in the Ottawa River, an abandonded Union Carbide mill now owned by the National Capital Commission. When the caravan had come to Ottawa, it had occupied the building as a temporary residence — with the permission of the NCC.

For weeks, a 12-person committee had planned the demonstration. The group had formed when the caravan reached Winnipeg on its eastward cross-country swing.

Violence started when Canadian officials refused to recognize the presence of the demonstrators. The solemn traditions of centuries of monarchy unrolled with little change.

When the demonstrators arrived at the stairs on Parliament Hill, they were stopped by the wooden barricades. As they moved up the steps, the red banners and flags of the Marxist-Leninist Party of Canada marched in from the another street in a separate demonstration. As more people marched up the steps, the front line of native people were forced against the barricades. Actually, in front of them were white spectators and newsmen — but the guards allowed these people to move under the barricades before they pushed the native demonstrators back to the edge of the stairs.

Boxed in, RCMP holding wooden barricades in front and pushing Maoists in the back, the people on the front lines were forced to either fall backwards or push ahead.

When the Chief Justice returned from reading the speech given in the name of a Queen who lives in England, he again appeared on the steps of the Parliament. There was some hope he would speak with the group. But he ignored the native people and stood at attention as the band played *God Save The Queen.*

"The Government people could have come down to listen to us for just ten minutes, and there wouldn't be no violence at all," Perry Schooner, a Bella Coola man said. "We are the real people in this country. If one of those leaders, like Trudeau, went to another country, like Japan, he would respect the real people of that country. But here in our country, they step over us, just spit on us and push us aside."

This non-recognition started a new round of singing and drumming the AIM anthem. There was shouting and booing until the band stopped playing. Bora Laskin drove away in his limousine.

People at the bottom of the steps climbed higher to see what was happening. The front line was again pushed against the barricades and the police. People started falling, fists were flying, and chaos took over. Everyone seemed to be kicking, punching, clubbing, swearing, as the police were forced to give way and break formation. The honor guard closed ranks, and stood waiting.

For a few minutes it seemed that the native people might again be forced to fight men with rifles and bayonets.

But the tension and frustration grew and subsided. The police closed rank again, and the demonstrators found calm. The fight ended with no side gaining any important ground. Policemen who lost their caps looked around sheepishly. Bloddy and beaten natives picked themselves up from the ground and brushed off the dirt.

Then, to the shock of everyone, an RCMP officer gave an order by walky-talky radio saying, "Bring them in — now!" A rush of helmeted, club-swinging, riot-trained RCMP moved in on the unarmed crowd.

People were pushed to the ground, clubbed and kicked by riot police. Women and men grabbed for anything they could use in their defense. As they were pushed back, the native people turned to the street to escape the armed rioting police. Manned by young girls, the drum continued beating, leading the people to the main gates.

As the crowd neared the street, they noticed the main gate had been closed by the police. Ottawa City Police were a visible force standing on the other side of the black iron fence, guarding the U.S. Embassy, often called "Parliament's South Block."

A sense of helplessness became apparent as people turned around and saw the riot police advancing. Boxed in, the adults grabbed the children and wounded, helping them to escape the pending disaster. As the crowd approached the fence, however, it noticed the small side gates had been left open. A feeling of relief came over the demonstrators as they moved into the street.

Rush hour traffic was diverted, and the street was filled with native people. Sirens blared and fire trucks moved up Parliament Hill. The riot police stopped at the gates, and the demonstrators regrouped around the drum. Again, the AIM anthem echoed over Canada's capitol, its pristine myth bloodied and tarnished.

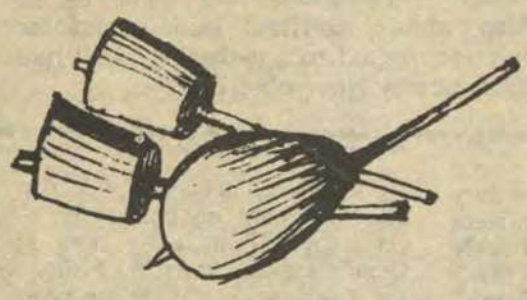
Gordie Stonechild of Saskatchewan, who was in the front lines, described the situation. "We weren't pushing, but we got crowded towards the front. They started pushing us backwards with their barricades. So the way I looked at it was if I fell backwards, I would have hurt a lot of people. So I went under the barricades, and all I could see was legs. I managed to get up and start kicking some police because they were punching me. Then six of them grabbed me and carted me away."

The clash lasted for about twenty minutes as men and women were captured and escorted, four or six to one, to waiting paddy wagons. When the scene quieted, the police had moved back about a foot and stood four-men deep, arms locked, facing the demonstrators. Press and white spectators were now behind them.

The native drummers started beating out the American Indian Movement anthem. Men, women and children joined voices in the song, filling the air with music. The Peace Tower bells started to chime, and a military band came around the west end of the Parliament buildings playing a rousing march and leading a military honour guard with bayoneted rifles in pseudo-British tradition.

Now the air was filled with music, chimes, drums, bugles, french horns and the AIM song.

The honour guard was ordered to stand at attention as the Chief Justice of Canada surfaced from his chauffeured limousine to review the guards from a little red velvet pedestal. The native people watched. After his official review, Chief Justice and Mrs. Laskin turned and entered the big brass doors of the House of Commons, escorted by two RCMP dressed in their scarlet tunics.



An officer ordered the honour guard to face about, standing at alert, watching the demonstrators. There was a noticeable uneasiness as metal clanged on pavement. The guards had no facial expressions. Across the yard on the steps of the House of Commons, dignitaries moved in and out of the building. Spectators stood there, secure, watching the natives while plainclothed RCMP took pictures of the crowd.

Occasionally men in business suits and women in long gowns and mink stoles came out of the building to view the scene. There was an uneasy silence from the demonstrators. Then speeches were made, calling for a meeting with Prime Minister Pierre Elliot Trudeau or his representative by 4 p.m.

Still the Government ignored the presence of the demonstrators as if they were an interesting part of the pageantry. Frustration and tension was visible on the faces of the native group.

Violence Again Overshadows Issues

Native people know what violence is. They encounter it daily in their schools, in the outside community, and now, even amongst themselves. A history of violence mounting upon genocide has taken place against them – and yet the wisdom of their actions in Ottawa seems to occupy most of the current debate. The limelight is not on the major issues behind the caravan from across the land.

Two things caused the Parliament Hill scene – an over-reactive police force of officers who had done their rookie duty watching over Indians, and the frustrations that native people have with a situation that becomes increasingly intolerable.

The native reality is not a few moments of shoving against police barricades – it is the flooding of 6,000 people at James Bay or South Indian Lake in Manitoba, or the tar-paper shacks of Canada's Metis population.

The Government reality seems to be a vision of a "Just Society," with negotiations conducted politely in city hotels with native executives of established organizations. It seemed to be unable to see any need to meet with the caravan, a simple courtesy which might have prevented bloodshed and a hardening of already-bad relations.

Statistics show the problem. Government statistics show that one Indian home in four needs replacing – in 1965, only one in five were said to be that poor. Among native people over 20 years of age, 1.7% have university education, compared with 11.9% nationally. Infant mortality rates are twice the national average. Indians go to jail at a rate four times greater than white Canadians. Nearly 90% of native families are below or near the poverty line. Native life expectancy is half that of a white Canadian.

The demands were straightforward. Land claims must be settled. The Indian Affairs Department must be investigated. Prison and law reform for natives. Housing. Correct broken treaties. Complete medical facilities for native peoples.

"This caravan was peaceful and yet we have people in jail and in hospital," said Butch Elliot, an Anishnawbe from Cape Croker, Ontario. He charged that the assault was pre-meditated, and that the RCMP welcomed the opportunity to practice its strategies. "The Government has to discredit us because people have come to realize that native people have a just cause," Elliot said.

Judd Buchanan, minister of Indian Affairs, said he had decided to talk to the demonstrators even though they did not have a mandate from "national native organizations." But, he said, the violence ruled out the possibility of any meeting. Later, he was forced to change his stance to a willingness to meet, providing the native people would come to him – he refused to go to their turf in the old mill building on the island, now renamed "The Native People's Embassy."

"We do not think it would be right and proper for the minister to go alone and meet with 200 Indians who have either willingly or unwillingly just taken part in a violent demonstration," said Bob Foulkes, executive assistant to Buchanan. "In order to have a significant meeting, we feel the representatives should meet at our offices."

The 45-year-old Buchanan is, by career, an insurance broker from London, Ontario, a dependable servant of the Liberal Government. He was chairman of the Indian Affairs Committee of the House of Commons before he became minister, succeeding Jean Chretien after the summer elections.

Dennis, a leader of the caravan, assured the press that Buchanan's safety was guaranteed. But, he said, Buchanan "has never lived on an Indian reservation, never gone to a residential school, never been brought up in the ways of the native people, and therefore, he is totally incompetent to deal with Indian problems."

He was equally critical of Len Marchand, a native man from B.C. who is a member of Parliament. "Marchand is bought and paid for by the Government," Dennis accused. "He is getting a big cheque. He has a nice house. Beautiful cars. A big expense account. He does not represent the Indian cause because he is not of that group whose lives are in jeopardy because of the programs that have been implemented by the Department of Indian Affairs."

Marchand believes that solutions to the native problems can be found only through education and steady work by elected members of band councils. As for his own efforts, he points to how he helped make amendments in the Farm Credit Act which will allow Indians to take out loans the same as white farmers.

The other native member of Parliament, Wally Firth of the Northwest Territories said he had mixed emotions. "I don't know whether to go to the other side and throw rocks or hide behind the big oak doors of Parliament," he said. He says he is deeply sympathetic to the frustrations and demands of the caravan, and yet he has hopes that he can make the system work for them. "I'm not ashamed to admit I bawled my head off," he said of his feelings as he witnessed the protest explode into violence.

Firth said that while he wasn't happy to see violence, "who sets the stage for violence – the Government or the Indians?" The Indians were not met by understanding government officials, he said – "they were met by men with big sticks, hard hats, and a clubbing." Whether the demonstrators were "duly elected" by their people is beside the point.

In the Commons, Firth raised a motion seeking the unanimous consent of all members to have matters of social and economic conditions of the native people put before a special meeting of the Committee on Indian Affairs. But the Liberal majority did not go along with the motion.

He also asked Buchanan what he was going to do about the depressing housing on reserves. Buchanan told him in the House that Indians would have to accept greater responsibility for their housing.

Firth also blasted the Throne Speech – the Government's statement of its goals and policies. There was no mention of native people in it. "When asked what the Government intends to do in response to the legitimate grievances of the native people, the Government . . . claims that it is up to native people to help themselves."

Prime Minister Trudeau, in a news conference, would only say that the Indians had done their cause more harm than good.

Louis Cameron a spokesman for the caravan, said that not only was Buchanan refusing to come to the Native People's Embassy, but that he had also declined to meet with members of the National Indian Brotherhood in late August. "He better do something," Cameron warned.

Members of the caravan say Buchanan had tried to have the march stopped since it started out from Vancouver in early September. They say he told George Manuel, president of the National Indian Brotherhood, that it was his job to stop the caravan. "Buchanan will try to use our own people against us – but the native leaders are saying the same thing as we in the caravan are saying," Cameron said.

Other politicians fell over themselves to say that the protesters did not represent the "elected leaders of Indian groups" which Canada has been busy setting up for the last ten years. Conservative Indian Affairs critic Flora MacDonald called for a meeting between the cabinet and elected leaders in an effort to avert any further violence.

But George Manuel of the NIB gave credit to the caravan "for breaking through the gatekeeper's role played by the civil service [bureaucrats] and giving us direct access to the cabinet. It looks like we made a breakthrough, and I think we can credit to a large degree the grassroots people saying, 'Enough! Enough!' " He spoke after a 90-minute meeting with a special cabinet committee October 9. From that meeting came agreement that the Brotherhood would have access to cabinet instead of having to deal with the bureaucracy.

To charges of police excesses and brutality, Solicitor-General Warren Allmand said those who made the charges, such as a national civil liberties group, had no respect for the truth, and that charges of that sort were "horse-manure." He praised the police for showing "restraint".

Clive Linklater, vice-president of the National Indian Brotherhood, demanded an investigation by independent agencies of the clash. He said that while the NIB had not formally backed the caravan, the caravan members represented "a legitimate point of view." He said the NIB "demanded to know whether it was the riot squad of the RCMP who in fact rioted." The Brotherhood had evidence that the protesters were victims, not perpetrators, of violence, he said.

The issues brought out by the protesters, he said, were the same ones the NIB had been struggling to deal with for years – poor housing, poor education, poor health conditions, high unemployment rates, short life expectancy, over-all poverty. Had whites suffered as native people had, he said, they "would also say that strong action was needed and justified."

"Bureaucratic blockheadedness" in the Indian Affairs Department was the cause of much of the anger and frustration, he believes.

Linklater feels that Canada is too self-seeking to be able to investigate such matters as treaty rights, land claims, and similar disputes. He wants a committee to be set up under the leadership of former UN Secretary-General U Thant to look into matters such as these. Unless something is done, this duly-elected official says, the situation will only get worse.

The Native People's Embassy

Almost 400 people were living in the Native People's Embassy, lining up for food beside two electric stoves under a cardboard sign saying, "Keep your own spoon. Bring dirty dishes back." A whole truckload of food was donated by Bertram Loeb, chairman of a food distributing company. He said the bread, milk, apples, peanut butter and other staples were sent because he learned the Indians did not have adequate supplies – "it had nothing to do with the merits of the Indian cause," he said.

Even though the 100-year-old abandoned mill was hardly a palace, it was a better home than many of the natives came from, one inhabitant pointed out. It was warm, well-lighted, supplied with running water. The Government's National Capital Commission plans to restore the building for its historical value – it's on the original fur-trading route to the West, and the mill produced acetylene for street lamps from calcium carbide and water. Various cultural groups will be allowed to use it for exhibits and displays, the NCC says. But the Indians say it is to be a permanent embassy.

During the course of the confrontation, seventeen people were arrested by the RCMP. Three hours after the rest of the demonstrators had returned to the Native People's Embassy, all were released. Four native people and one non-native member of the caravan face criminal charges. Gordie Stonechild, Cindy Anderson, James Keesick and John Correai are charged with obstructing police. Sakowentetha, a Mohawk from Akwesasne, faces a more serious charge of assaulting a police officer – he was charged when he went to the assistance of a girl who was being beaten by police. Trial date has been set for January 21 in provincial court.

A new central committee has been organized made up of one person from each region of the country, selected by caravan members from that region. Participants from the U.S. named John Trudell, national American Indian Movement chairman, as their representative. Now they are organizing a "spiritual caravan" which will culminate with a meeting of spiritual leaders from all parts of North America at the Native People's Embassy on November 25th.

The weeks following a demonstration are the hardest. The Embassy must be cleaned and maintained, spirits must be kept up, and food scrounged. Ottawa's Friends' Meeting raised substantial amounts during the first weeks, and the continuing effort now is to keep a steady flow of fresh supplies. Numbers have dwindled to about 75 as some people have been obliged to return to family and jobs and other aspects of the movement.

Meanwhile, the Embassy residents stand out like shooting-gallery targets amid the grey-flannel atmosphere of Ottawa's civil service and academic population. Street fights, primarily with local youth both in Ottawa and Hull, the city on the Quebec side of the Ottawa River, have been numerous. Spokesmen for the Embassy say that when such fights have broken out, police are conspicuously absent, which is probably just as well since when police do arrive, it is the native participants who are arrested. According to friends of one native student at Hull Community College who was not even close to the Embassy, he was arrested in just this way. When one of the friends, the son of an alderman in the neighboring town of Lucerne, went to the police station to have him released, he also was arrested.

From all reports, it was name-calling in the parking lot outside the Standish Hall bar that led to a fight October 24, followed by a fight the following Saturday, the 26th, which resulted ultimately in the death of Clarence Endugessick.

According to Hull City Police reports, they were called to break up a fight outside the Standish Hall. A car with two plainclothes officers arrived. They sent for reinforcements and the paddy wagon.

At least four native men and as many whites had been involved in a fight which had gone on for some time. Police reports say Clarence would not calm down, but his friends say he repeatedly tried to walk away from the fighting. He was the only person to be arrested. He was thrown into the paddy wagon at 1:40 Saturday-morning.

Police reports indicate that at 3 a.m. he was in cell 6, expressing strong vocal objections to being held in custody. At 4:20, he was found lying on the floor of his cell, dead.

First news of his death came when Hull police called the Native People's Embassy asking for someone to identify the body. The police said that sometime between 3 a.m. and 4:20, without the aid of any cutting instrument, he removed his blue jeans, cut strips long enough and strong enough to form a rope, with which he hung himself from the top bars of his cell without making enough noise to attract the attention of guards or other inmates.

The claim of suicide was rejected by all his friends at the Native People's Embassy, Ganiengeh, and at AKWESASNE NOTES, where he had spent some days just before his death. He was a friendly, happy-go-lucky fellow, and a fighter. He was known to drink, but not to the point of drunkenness.

Clarence was an Anishnawbe warrior from the Mobert Reserve in the northwestern corner of Treaty 3 area of Ontario. He had come east to join the Mohawk people from Kanawake who returned this summer to their hunting grounds in the Adirondack Mountains. His grandmother, Margaret Desmoulin, has asked that his body return to his land to be with his grandfathers.

The Native People's Embassy has retained legal, medical, and investigatorial help to try to find out just how Clarence died.

The Native People's Embassy is appealing for support from brothers, sisters, and friends. Cash is needed, and for those supporters in Ontario, food, bedding, and clothing can be supplied. Contact:

Native People's Embassy,
Middle Street, Victoria Island
Ottawa, Ontario
telephone (613) 234-1077

Also, elders, spiritual leaders and medicine people are invited to a gathering of all nations at the Embassy November 23-25.

[The drum of the Native People's Caravan was heard from the Queen Charlotte Islands, seventy miles into the Pacific to Cape Breton on the Atlantic, and from Seminole Country to Inuvik. The stories of the participants are somewhat the same because there was a common message to be heard. Perhaps the Government will indict the Creation itself for a conspiracy against the Crown.]

they should have given us that one house. . . .

Ken Dennis is from the Shuswap Nation in the interior of what is now British Columbia:

I first became involved with the movement when I was in the residential school. We had sort of a resistance going there. We thought it was pretty good in those days, but it was physical resistance – gang warfare against the administrators of the school.

I left the school because I was thrown in jail. We also had a gang warfare – sort of childish and unorganized – against the white people who were beating on our people in the towns. We retaliated on them and the police picked us up. We were sent to reform school. That's when I first began to realize that I was in the movement – I was for the protection of the people.

I got out of the reformatory. Stayed out about five days.

I was thrown into another reformatory for boys a little older. I did a year there. And then another year for basically the same thing.

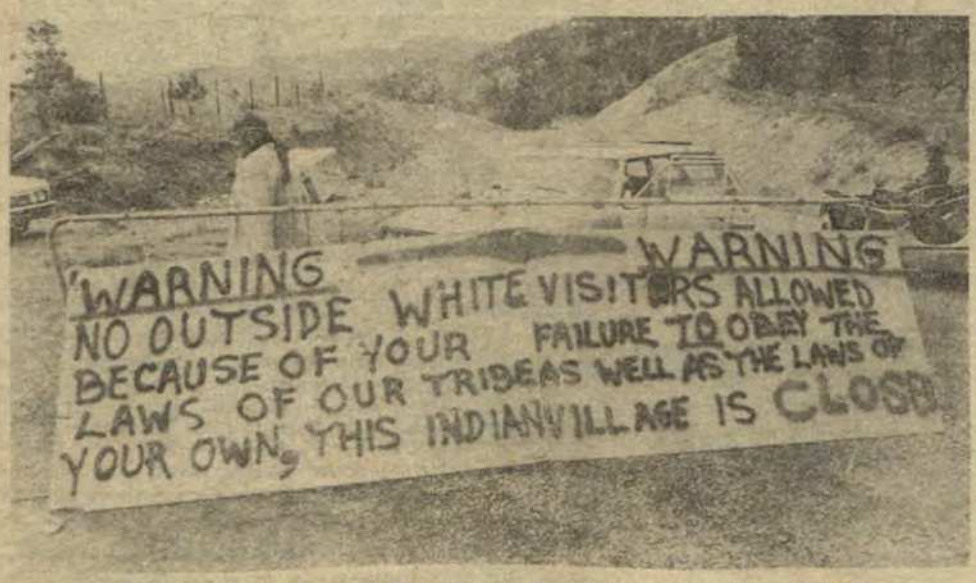
At that stage, I was pretty confused. I just struck wildly out. There was no real sense of purpose in my activities – this is what a lot of Indian people go through.

During the duration of my time in prisons, I began to do a lot of reading. I don't have much education, but reading brought me to think you could do more for your people than just causing a riot or breaking a window.

Then I did another stretch. Then I came down to Vancouver, my mind still messed up. I wanted to try my chances [working] on a white man's newspaper. I pounded the sidewalks two or three weeks without any bread in my pocket, or any food whatsoever. I couldn't get a job. I decided to go home. I got back on the reservation with my people.

On my reserve it's really bad for poverty. The people are really depressed and frustrated. A lot of my people spend twenty-four hours of their day looking around for money in order to escape by buying wine. I fell into that groove and said to heck with the Indian movement.

I ended up in a provincial prison. We didn't agree with the administration because of the conditions in that prison. Myself and a few other brothers had a rebellion in that place. We put one guard in the hospital and we escaped from there. We were all picked up and sent to the B.C. Penitentiary.


WARNING
NO OUTSIDE WHITE VISITORS ALLOWED
BECAUSE OF YOUR FAILURE TO OBEY THE
LAWS OF OUR TRIBE AS WELL AS THE LAWS OF
YOUR OWN, THIS INDIAN VILLAGE IS CLOSE
WARNING

A sign blocking the highway at Cache Creek, British Columbia, this summer

The B.C. Penitentiary is where they have a club called the Indian/Metis Education Club. This is where I really became involved in the native movement. There were Indian people from all over the place. And I began to realize that Indian people weren't treated fairly in the courts.

When I got out of there, I heard about Red Power and I said, "Why not? Why not really get into it?" I did a lot of searching around for people who had the same belief. I found there was a lot of people who were frustrated and angry with what the system was doing to people – our people.

It was very loosely knit in Vancouver until the Cache Creek incident.

An elderly person on the Bonaparte Reserve in the Shuswap, about 86-years-old, had his house burned down while he was in hospital. All he had on was a pair of pants and a pair of slippers when he went into the hospital. He lost everything.

Ken Basil, the elected chief, and I asked Indian Affairs if there was anything could be done for him. They gave us the run around. They told us that Johnny Morgan could not get a house because all the funds had been expended for the year for the Thompson River District. They shuffled us off to Indian Affairs in Vancouver.

We knew what they were going to say in Vancouver, but we wanted to do some basic research into what was happening. They gave us the run around.

We looked at the Bonaparte Reserve and found that most of the people needed housing. That's when we decided to call AIM people to come in. We agreed on throwing a road block. That's what we did – we were armed at the time. But the arms were for our own protection, we told people. We charged people $5 to go through.

They want us to have representation from our elected leaders. We don't recognize that either. We don't represent anybody – what we're doing is more sacred, since we're representing real issues that affect the life and death of all the people. We represent the issues, not the people.

The first step toward sovereignty is a recognition that the society we're living in isn't doing any good.

About twenty of us moved into Cache Creek. We stayed up and discussed everything for two days and decided, "Why should we isolate one area? Indian people need housing right across the country."

We mentioned in Cache Creek that we don't recognize any borders. We would get people from every area across Canada and the States. We figured we'd use a caravan to educate the people – not just Indian people, white people too. Also, we'd stress the power of unity – forget about the divisions that are imposed on us by Indian Affairs and by the Government.

We are serious about re-establishing our nationhood and everything that goes along with nationhood.

Indian Affairs should have dealt with us at that time, because it was a small demand. If they had given us one house for Johnny Morgan, there would have been no caravan. When they refused us that, we asked for twenty. Later we found the National Indian Brotherhood demand for $400-million. When we learned that this did not include non-status Indians, we doubled it to $800-million. They should have given usthat one house.

Carol, from Haida Nation (Queen Charlotte Islands, British Columbia): Six months ago, the head people of the Haida Nation met and looked again at how their islands, seventy miles from the Canadian coast, were being destroyed by the white man, and how their people were dying. They decided then that the only way to stop this was to go back to being their own nation.

They've got a navy base on the island, and they want that changed.

Before they used to be able to go out fishing any time of the year. Now they got to go when they get permission. And white men get to go to some of their places.

I joined up to help Cache Creek, and then they told me the caravan would be happening. I thought I could come along and see what everything is about. I learned a lot.

I've been on the road. I've been on the street. I've been with other Indians trying to learn their traditional ways. I know I can't do it in such a short time – it will take quite a while.

(Continued on next page)

THIS IS IN ME. I CAN'T BRUSH IT OFF NOW.

Wandering River, northern Saskatchewan: I don't believe in violence. I try to keep away from it. But I went to Cache Creek and I took up arms there because I believe in what my brothers there are doing.

I hear about Indian babies being sent home in a box from the hospital.

And I hear about brothers getting jailed for little things.

And I see my brothers out in the streets.

And I see old people getting turned away from Indian Affairs.

This is violence to me. I just can't sit back in my 8-to-5 job and do nothing about it. I feel that I have to come out and do something. Even if it means tc take part in the violence and give up my life for what I believe in.

This is in me. I can't brush it off now.

We all know the Indian leaders are being held down with government funds and they can only do so much. When they're fixing things up on our reservations, they are doing it in slow motion. And while this is happening, government people are coming in and taking away the children.

My father's from Fort Chipewyan. My mother comes from the other end of Lake Athabasca. For the last thirty years, they have been moving back and forth. Ten years here, ten years there, different places around the lake area. [Since 1905, when the southern portion of the Northwest Territories was made into two provinces by Canada, the Alberta/Saskatchewan border has cut through the middle of Lake Athabasca country.]

Now we have a camp in the bush where we are going back to traditional ways. I can't say I'm from Alberta because I'm not living there any more – I'm from Lake Athabasca area. I am a Chipewyan.

About ten years ago when we had moved back to Fort Chip, my father used to tell the boys – I've got nine brothers – that we have a piece of land across Lake Athabasca. "It is one of the most beautiful lands you've ever seen," he would tell us. "And it's yours, if you want to go back on it." Me and my brothers didn't listen for a long time. We were too busy out making a living, working and trying to get some bread coming into the house. Or going to school in town.

About six years ago, a mining company came to our land and established a camp there. And my father kept talking about it. He wanted to kick them out of there. But we didn't do that.

I went and travelled around. All over the country. Canada and the States. When I came back, my views were different then. I had to go back to that land. And when we did go back there, my brothers quit universities and colleges. We all came back there. We built a camp there. We got a pipe and a sweat lodge happening there.

Then the Government said we are intruding on the mineral rights of these [mining] people. I don't see how they can do that – right beside our camp there is the remains of the campsite where my father was born. Where his father was born. And his father before that.

Over the hill and around that region are the graveyards of my forefathers. And there are other places that we hold sacred around that region.

And they tell us that we are intruding – on their land. They are trying to get us off. They told us we had no rights being there. No right to trap in that area. Or to hunt in that area.

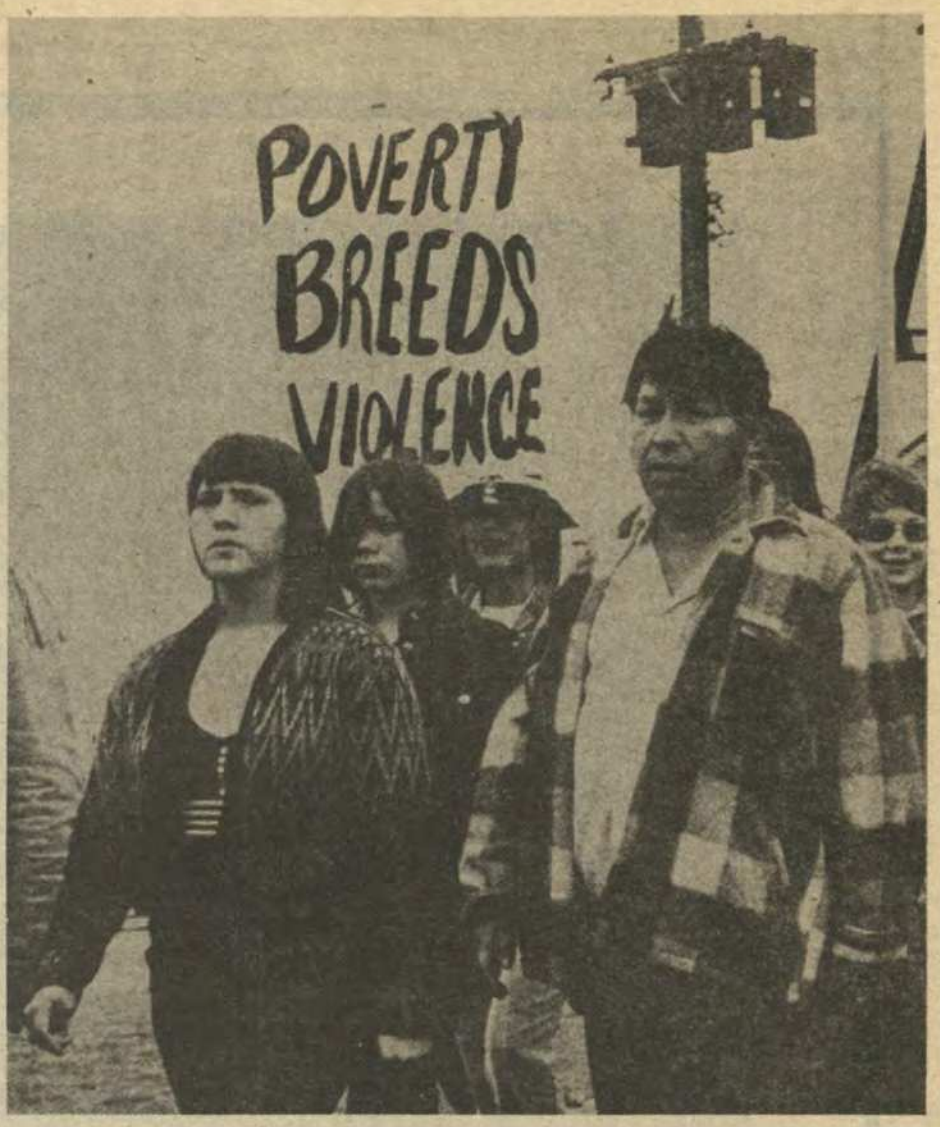
Right now, the Chipewyan people are divided by the border lines – Saskatchewan, Alberta, Manitoba, Northwest Territories. The northern parts of these three provinces and the southern part of the territory is Chipewyan country right from Fort Chipewyan to Cold Lake, and from Hudson's Bay to Snowdrift in NWT. That's all Chipewyan Territory.

I don't know how many villages or towns there are, but it's all good land. The land is still beautiful, virgin. There's plenty of animals in that country.

But things are beginning to happen. Northern development is moving into the northern country. And what they're doing is educating the Indian people to the white man's way. Young people – thirty years down. They're training him to be a slave worker. They call it vocational training. But actually it's slave labor to develop the country.

They're taking their minds away from these [natural] things and putting them into the cities. In the Territories, they put them in Yellowknife. And in Yellowknife, they end up the same way they end up in the cities. Skid rows. Drunk. Young people on dope. The people who are going to be left are the old people – and they can't do much without the young people.

Minding our children in the Native People's Embassy



A demonstration this summer in B.C. . . and then on to Ottawa

David Campbell, Arawak

David Campbell is an Arawak, from Guyana, South America, living in Canada: I was born and raised in a British colony. Native people there were brainwashed in the school system as they have been throughout this hemisphere to feel ashamed of their native origins and to regard the only good things in life as from the European countries. From babyhood, we native people in Guyana were programmed to escape to the land of all good things in life: America, Canada, or most of all, the Mother Country, Britain.

I came out of that tradition. As a child, no one has the intellectual mechanisms to deal with the completely pervasive influences around you. It can take a lifetime to break that control of your mind. Some people never break it. Some do, later on. Perhaps I'm one of those.

The transition takes a long time because the tentacles cut very deep. I became aware some time ago of what I call "the chosen people syndrome" – the self-righteous invader people who go around the world telling other people how to live their lives. Once you somehow get the realization that what right does one group of people have – just because they have force on their side – to tell another people [what to do.] Once you arrive at that point, a lot of things flow out of that. You begin to understand your black brothers and other brown people. Most of all, you begin to understand what happened to your own people.

Like in Georgetown, the Capital of Guyana, you were trained so that when you went to a cowboy and Indian movie, you cheered for the cowboy. Once you can look beyond the chosen-people syndrome, you begin to see all these things. You begin to see the value of what brown people have to offer.

[I came to be living in Canada because] as I said, we were led to aspire to be like northern men, or Englishmen because they were the chosen few. I lived in England for several years. I saw there the exclusion of certain people.

As children, we had to sing a lot of songs that brainwashed us into believing that this was our Mother Country. I remember a poem called *Children of the Empire:*

Children of the Empire,
Clasp hands across the main,
Glory in thy brotherhood again,
and yet again.

A lot of Caribbean people finally did arrive in Britain to find a society saying, "What the hell are you doing here?" I saw the colonial process in one of its final chapters, the final betrayal. The final cynicism.

The story of exploitation and destruction throughout this hemisphere is remarkably the same in its central elements except that the eras differ. The time in which things happen differs. Guyana is lagging, maybe seventy years, behind what is happening here. The dominance of church and state is so complete over the people that there is hardly a flicker [of the fire to rebuild nationhood.]

The people here – in this caravan – are for me, a sort of vanguard of what could happen in this hemishpere with native people. Deep in there, there is a flame which will one day burn brighter and brighter.

For native people, the traditional music is of utmost importance. What struck me very forcibly at the demonstration on Parliament Hill was the deep and great contribution that traditional music is making to this movement.

The chanting and the drums kept on through the whole mess that happened there. There was deep vibrations coming from the drum about what the whole thing was about. Even when the singing was going on, you could see the fear on the faces of some of those guards – fear of the music, of the chants.

(We are grateful to:
Gary George, a native journalism student at Ryerson College in Toronto for material originally prepared for Our Native People. Also to Eddie Gardiner, aontaignais of Sept-Isle and editor for the Laurentian Metis Alliance for numerous interviews conducted especially for AKWESASNE NOTES. Thanks also to Dan Turner of the Toronto Star for interview material, and the Ottawa Citizen, Montreal Star, Montreal Gazette, Vancouver Sun, Toronto Globe and Mail, and the special cooperation of Bernhelda Wheeler of CBC's Our Native Land.)

"We Must All See Ourselves As Part Of This Earth, Not As An Enemy From The Outside Who Tries To Impose His Will On It.
We, Who Know The Meaning Of The Pipe, Also Know That, Being A Living Part Of The Earth, We Cannot Harm Any Part Of Her Without Hurting Ourselves."
- Lame Deer

The photo is by Curtis, Entitled "The Rush Gatherer - Arikara". The quote is from the book, Lame Deer, Seeker of Visions. This poster is one of a series available on heavy poster paper for 3 for $1, all of one kind, or a mixed set. Add 25 cents if you wish a mailing tube. AKWESASNE NOTES, Mohawk Nation, via Rooseveltown, N.Y. 13683.

BRITISH COLUMBIA

NISHGA NATION STRUGGLE CONTINUES

Terrace, British Columbia — For well over a hundred years, the Nishga Nation has fought for legal claim to their native lands. The fight has involved the energy and resources of many of their people, costing thousands of dollars for delegations and legal expenses.

Now it has won another battle — at least temporarily. The Canadian National Railway has agreed to cease further construction of a proposed 250-mile northward extension of its tracks over Nishga land.

The CNR had been undertaking surveys after a federal-provincial agreement gave them the go-ahead. But after the Supreme Court of Canada split on the issue of Nishga rights to 4400 square miles of the Nass River watershed, Ottawa decided to invite negotiations on a settlement. The CNR was stuck in the middle.

Nishga leaders had told railway surveyors to keep off their lands.

There are bigger stakes involved than just a railway. The provincial government has had secret plans for a massive development in the northwestern portion of the province, and it is largely dependent upon the railway for transporting logs and minerals. Native people will be drastically affected by the plans, but have not yet been consulted.

The proposed railway would pass through at least nine reserves. There is no other route the CNR can take if the resources are to be funneled through Prince Rupert's port — the whole idea of the development.

Once the transportation network is completed, the exploitation of copper, coal, and forest resources would begin very quickly and without regard to any social or environmental considerations. Instant towns would be built near major mine sites. Ten or more major sawmills would be built, plus a large pulp mill. Dams would be required to generate the power needed for the development. A copper smelter would be put in at Kitimat. Thousands of newcomers would flood the area to take the jobs, usually transient worker-types. And if other areas are any key, the white population cannot be depended upon to halt or slow-down the project — the Indians will once again have to take on that difficult task.

(Thanks to Paul Watson of the Georgia Straight and the Canadian Press, and to Walter Taylor for this information.)

* * * * * * * *

Penticton, British Columbia — The rights of native people to hunt on their traditional hunting grounds was upheld here in what has been called a landmark decision on aboriginal rights.

County Court Judge A.D.C. Washington ruled that Jacob Kruger and Robert Manuel of the Penticton band of the Okanagan Nation have the aboriginal right to hunt on unoccupied Crown lands without a permit, and during closed season. He was hearing the case on appeal after the men were convicted in provincial court.

The decision was hailed by Chief Abram Eneas of the Penticton band as the beginning of a "new era" of justice for native people. Defense council William Rutherford said that the issue is whether all native people in Canada have similar aboriginal rights.

Judge Washington stated that since the aboriginal rights of native people to hunt for sustenance had apparently never been taken away by Parliament, these rights — guaranteed in the Royal Proclamation of 1763 — must still be in existence.

100 YEARS OF SURVIVAL

Largest march ever in B.C. this summer starts out the current native mood in Canada:

Victoria, British Columbia — Native people from throughout the province and from as far east as Nova Scotia marched on the provincial legislature June 25, a date marking two significant Indian victories — the 98th anniversary of the victory at the Little Big Horn, and the 5th anniversary of the Trudeau White Paper on Indian Affairs which had threatened to terminate all special native rights, and which was killed by protests across Canada.

The demonstration was called by the Union of British Columbian Indian Chiefs to protest poor housing, poor education, high unemployment, lack of true economic bases on reserves, welfare-oriented programs, the increasing number of Indians in prisons, unfair provincial taxation, and lack of provincial action on B.C. land claims.

About a thousand people came to Victoria, and an estimated 4,000 more showed their support by demonstrating along highways and in front of Indian Affairs Department buildings throughout the province.

The rally was orderly as speeches by Harold Cardinal, president of the Indian Association of Alberta; George Manuel, president of the National Indian Brotherhood; Philip Paul of the Union of B.C. Chiefs, and William Sault of the Union of Ontario Indians spoke about the problems and unity in dealing with them.

But the rally erupted when B.C. Human Resources Minister Norman Levi addressed the crowd. For the first time, a provincial minister publicly and explicitly denied provincial responsibility in the settlement of native land claims. "This Government is of the opinion that under the laws of this country . . . it is not only clear that the issue must be resolved by the Federal Government, but also that it would be highly improper for B.C. to participate in these discussions. The Government of B.C. rejects completely the attitude that after 107 years of colonial-type policy towards the Indians, they now seek to shift the responsibility to the provincial government." Native people have maintained that since the province controls the Crown lands, it must participate in negotiations of which lands are to be restored to native control.

Levi's speech was interrupted with heckling, and it was followed with sustained booing.

That evening, 60 natives from the Burrard Reserve blocked the Dollarton Highway in North Vancouver to protest the provincial government's refusal to negotiate on land claims, and its inaction on their request to lower speed limits on the reserve to protect its 150 children. Protest organizer Vivian George said the demonstration wasn't a part of the Victoria action, "but that one did encourage us to do something."

British Columbia has not been particularly enlightened when it comes to native affairs. It began its foray into Indian administration after union with Canada by a letter from the Lieutenant-Governor proposing to call the Royal Navy around the Cape to put the natives in their place. Still in 1960, the B.C. Evidence Act continued to define an Indian as a "native person ignorant of the knowledge of God."

(Thanks to Ab Kent of the Victoria Times, the Sechelt Peninsula Times, The Vancouver Province, and the Victorian for information used here.)

B.C. GIVES NATIVE PEOPLE TOKENISM TO GET GO-AHEAD FOR DEVELOPMENT OF GIANT SAWMILL WHICH MIGHT CAUSE ENVIRONMENTAL DISASTER TO LAND

Burns Lake, British Columbia — Last April, when Bob Williams, B.C. Minister of Lands and Forests, gave Babine Forest Products the go-ahead to build a giant sawmill at Burns Lake, the decision was a blow to the hopes of the local native people, who had put in a bid to set up the mill.

Working through the B.C. Association of Non-Status Indians (BCANSI), the native group wanted to have full control of the new mill because of past bitter experiences. Their control would mean more than just an economic base — it would also mean they could limit any social and environmental damage caused by the new development.

Instead, however, the province of B.C. offered the native people a paltry 8% interest in the Babine operation — an offer rejected by BCANSI as "a gift of trinkets and beads." Fred House of BCANSI foresees "a rerun of the same old horror show, where a large foreign-dominated corporation builds a major industry in a small community, imports large numbers of transient workers, and socially devastates the community."

Babine Forest Products is a front for three partner corporations — Weldwood of Canada, which is a subsidiary of a New York corporation, Champion International; Eurocan, a Finish corporation with a pulp mill in Kitimat, B.C., and thirdly, Canadian Cellulose, a recent purchase of the province itself. Thus the province had a vested interest in giving the go-ahead to Babine since it would receive direct profits.

The Burns Lake sawmill will send out its products through the Nass Valley, to which the Nishgas claim aboriginal title has never been surrendered. [See separate article.]

By July, however, a coalition of four native bands in the area and BCANSI came out of negotiations with nothing more than the 8% offer. The province agreed to loan to the Burns Lake Native Development Corporation (BLNDC) a half-million dollars on a low-interest basis. All or part of the loan might be forgiven, provincial officials said. By participating as stockholders, BLNDC must also negotiate a $640,000 loan from the bank as its share of the mill's start-up costs. The first dividends won't come until 1978.

There is no guarantee that the 8% stock plan is anything more than tokenism. The Indians will have only one director on a 10-member board. All employee relations in the mill and union will be handled in the usual ways. Williams said the latter condition was included to see that Indian workers were not given preference over whites. "We were concerned that there be no discrimination in reverse," he said.

(Thanks to David Mole of Western Voice, John Gibbs of the Vancouver Sun, and Canadian Press for information.)

canada

ALBERTA INDIANS WANT TREATY BEFORE OIL SANDS DEVELOPMENT

Edmonton, Alberta – The Indian Association of Alberta decided June 20 to initiate "immediate legal action" to stall the multi-billion-dollar development of the Alberta oil sands pending the outcome of treaty-rights negotiations.

The IAA will demand that the provincial government and developing companies pay royalties from oil production to Indian people, and that jobs and intensive training be provided for Alberta native people.

The action was taken at the annual meeting of the IAA in a unanimous vote. Ninety per cent of Alberta's 30,000 treaty-signing native people have no jobs, IAA president Harold Cardinal said.

The oil sands, about 200 miles northeast of Edmonton, are covered by Treaty Number Eight, which Justice William Morrow of the Northwest Territories Supreme Court already has ruled is not a land surrender treaty. His ruling is under appeal, however, by the Canadian Government.

Most of the oil sands projects are unionized, and as one Cree chief at the convention said, "Indians have trouble getting into unions, and getting unions to fight for their rights once they get in."

Many of the workers are imported labor from the United States, Europe, Asia, and Canada.

"For us, it is a little hard to swallow that these companie will bring in immigrants to take these jobs while we have such a high unemployment rate," Cardinal said.

He added that Indian leaders were aware that they will be accused of helping the Canadian Government's position on energy resource ownership if their claim is successful in stalling the development.

"We also risk . . . angering some of the most powerful, wealthy corporations in North America," Cardinal noted. "We also risk alienating the general public who could be convinced by the governments and the companies that we are trying to scare off growth in Alberta."

Cardinal said Indian leaders have not decided thefull details of the land claim, but said it will be a combined legal and political process.

"In the case of the province of Quebec and the Cree Indians at James Bay, the Government would not make any kind of offer until the courts had recognized the Cree claim to the land." But, Cardinal asserted, "on something as valuable as the oil sands, no government . . . is going to be willing to recognize the ownership of anyone else until it is proven in court."

He said the claim will seek an "adequate share of the resources" for the native people. The IAA says the situation is different than that of James Bay, however, and that it would not seek to thwart the development entirely.

Eighteen months ago, Cardinal proposed a four-way partnership involving industry, native people, and the two senior levels of government in the development of northern resources. Speaking then on television, Cardinal said the major question would be how trade unions would view Indian participation.

"Hopefully, labor unions will have enough social conscience to be able to respond and help us in this process," Cardinal said. However, neither industry nor government nor unions did respond, and thus halting the project was the only option left open.

"LOTS OF ACTION AND EMOTION, BUT NO DIRECTION" – NATIVE LEADERSHIP CRITICIZED

Vancouver, British Columbia – "One thing that most native leaders have in common is their lack of ability to handle large sums of money," according to Henry (Butch) Smitherams, who has been a leader in the organization of non-status peoples in British Columbia.

Speaking to the national conference on "Indian Rights for Indian Women" held here earlier this year, Smitheram said, "Leaders today still play political games and scratch each other's back for political gain rather than working for efficiency. Patronage and favoritism are more common among our native organizations today than they are in government. Too much money all at once and not enough control on the use of the money has created problems for our leaders. It has, in fact, led many leaders into temptation. In some cases, this overabundance of money has destroyed our leaders. In other cases, it has enticed new Indians out of the woodwork."

Smitheram called on native leaders to avoid government funding.

"More welfare and free-loading programs are not the answer to self-determination and economic independence for native people," he stated. "We must free ourselves from dependency on government funding and handouts as soon as we possibly can."

Noting that not all leaders are exactly "grass roots", Smitheram said that "flying first class around country, making public appearances, trying to have their pictures taken beside the high and mighty of the political and social celebrities, becomes a full-time occupation with many of them."

Another type of leader criticized by Smitheram was "the young adventurers, not yet dry behind the ears, and older irresponsible types who have nothing to lose, trying to goad the native people into some type of action – they don't care why, as long as there is some action. They are like chickens with their heads cut off – there is a lot of action and emotion but no direction."

(Thanks to Ontario Native Experience, a newsletter for native peoples of Ontario, published at 120 Eglington Ave. E †604, Toronto, Ontario M4P 1E2.)

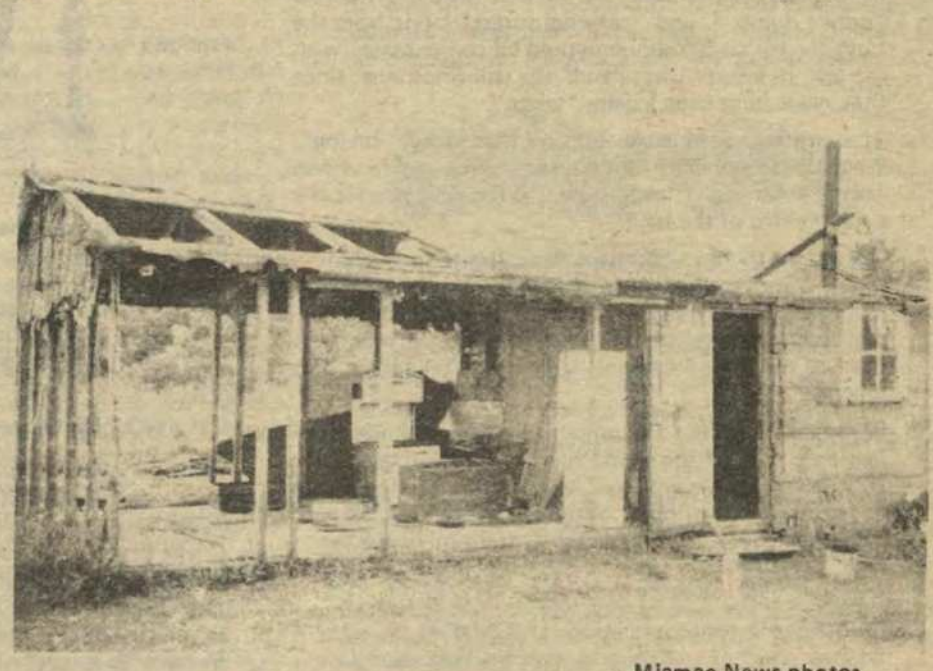
GOVERNMENT FUNDS AVAILABLE FOR FANCY TOURIST MOTEL WHILE NATIVE HOUSING GOES LACKING

Springhill, Nova Scotia – Two unconnected news items. Or perhaps there is a connection.

First, the Millbrook Indian Council will receive a $1.3-million federal grant for construction of a motor hotel complex to cater to the convention trade utilizing an Indian motif. The main building will house 48 bedrooms, a dining room seating 100, a lounge accommodating 85, three conference rooms.

Second, a group of Micmacs living at Springhill, mostly aged and widows and their families, appealed for some kind of assistance because the federal government had said it could not help since the group was not living on a recognized reservation.

"I thought I had seen bad housing conditions on reserves," said Albert Julien of Eskasoni Reserve when he visited Springhill Junction. But this one had given him "a sick feeling in the gut." Portions of shacks had even been torn down and burned for fuel during the harsh winters. Most residents are unemployed in an area generally economically distressed. The Union of Nova Scotia Indians has promised to take action to help the group, although no immediate answers seemed available.



—Micmac News photos

Shown above, left, is the architect's sketch of the modern $1.3-million motel the Canadian Government is helping the Millbrook Indian Council to build for tourists. At right is the home of Leo Pictou, age 72, of Springhill Junction. Part of the house has been torn down and used for fuel, with only a portion left for living quarters.

PROGRESS COMES TO SLAVE LAKE: NATIVES NOW HAVE OWN THEIR OWN TAVERN IN CANADIAN FIRST

Slave Lake, Alberta – Advocates of assimilation of native people into Canada's "mainstream" do have their little signs of progress to point to now and again.

The first tavern in Canada owned and operated by an Indian band has been officially opened in June, and only eight years after Alberta law was changed to allow Indians into beer parlors.

The $300,000 Sawridge Tavern, located at the entrance to Slave Lake, about 140 miles northwest of Edmonton, is part of the $1.3-million Sawridge Motor Hotel owned and operated by the Sawridge Indian band.

However, less than a third of the hotel staff are native people.

The tavern's official opening was marked by, naturally, the adoption of Dr. Hugh Horner, Deputy Premier of Alberta, "into the Cree tribe."

NEVADA

THIS EARTH IS OUR MOTHER, AND IT IS NOT FOR SALE!

Battle Mountain, Nevada – A strong legal challenge to preserve native control and use of their lands from abusive practices of the United States Government is shaping up here as Western Shoshones plan two court actions.

By virtue of aboriginal and treaty rights, the Western Shoshone people hold title to over 15-million acres of land in the state of Nevada. Members of the Shoshone Nation have felt they should be able to use their property as they always have used it – for traditional pursuits of fishing, hunting, gathering, as well as for grazing and other purposes. Traditional Shoshones contend that the land was given to them by the Great Spirit to use in accordance with the Great Spirit's law.

For years now, the State of Nevada, the U.S. Bureau of Land Management, and the U.S. Forest Service have imposed restrictions on the Shoshones using their own land, treating it as "National Forest" or "public domain", meaning land which has not been designated for any particular use. For years, state officials have arrested, tried, and convicted Shoshones for hunting without tags and licanses on this land which has never been legally taken from them.

In 1973, a group of traditional people formed the United Western Shoshone Legal Defense and Education Association to promote Shoshone culture and also to regain control of Shoshone land. Early in 1974, the Association, together with a traditional leader, Frank Temoke, hired the Salt Lake City firm of Kinghorn, Oberhansly & O'Connell to press a new claim before the U.S. Indian Claims Commission.

There is already a Shoshone case before the ICC. It is being pressed by a Washington firm with Utah roots, Wilkinson, Cragun and Barker. The new claim differs from the original one in that it would withdraw "public domain" and "national forest" lands from the tract for which Shoshones would be compensated with money. It asserts these lands are still Shoshone, since they never have been legally "taken".

The entire issue revolves around that word, "taking". What does it mean? How much Shoshone land was taken? How was it taken? What is the evidence for the actual taking of the land?

According to the Wilkinson firm, the term is synonymous with "gradual encroachment" or the establishment of towns, railroads, mines, ranches and settlements by non-Indians. The Wilkinson suit maintains that all of the Shoshone land was "taken" in this manner.

Shoshones say that reasoning is fallacious, however – less than 50% of their land has been encroached upon. It is still free, encumbered only by the United States which itself claims it as "national forest". The Western Shoshones have aboriginal rights to 24-million acres of land, and treaty rights to 15-million acres of that territory. The balance was given up by treaty.

Shoshones in the Association (UWSLDEA) say there is another point of controversy with the Wilkinson case – the actual date of "taking". Somehow, it was decided that the Indian title was extinguished by gradual encroachment in the year 1872. At that time, land was worth about $1.05 an acre. The Wilkinson suit originally stated 1880 as the date of "taking", and the U.S. Government figured 1860, so the 1872 time is a compromise. But if "taking" means a gradual encroachment, this is the time in which encroachment was barely beginning and "taking" could not have been accomplished for some years after.

UWSLDEA spokesmen say that the Wilkinson firm – which handles many Indian claims suits ably, and at a lucrative rate – is too agreeable with the U.S. The United Western Shoshones say that the attorneys should never have agreed on an 1872 taking date since this does not square with the actual facts, and that the failure of the firm to press for a hearing in the matter does not represent the best interests of the Shoshones. The date of taking can only be agreed upon by due process, they say, meaning a hearing before the ICC.

If such a hearing is granted by the ICC, Kinghorn and O'Connell will submit the Association's claim. This claim holds that land was never ceded by the Shoshone under the stipulations of the Treaty of Ruby Valley (October 1, 1863). This document is a treaty of peace and friendship, they assert, providing that a railroad be given a right of way, and allowing military posts, station houses, mills, agricultural and mining settlements and ranches to be established by non-Indians.

The Association is willing to accept compensation for the lands used for these purposes within the treaty boundaries. But they say the rate of compensation would not depend upon the value of the land at the time of the treaty, or in 1872 – rather the date of actual establishment of each ranch, mining settlement, etc., from the year 1863 to the present would be the date for which land values would be ascertained.

The remainder of the 15-million treaty acres, the Association maintains, belongs to the Western Shoshone people, since the Treaty of Ruby Valley recognized Shoshone title to this area – and there is no document, statute, or other treaty extinguishing that Shoshone ownership.

Strictly speaking, that should mean that if the Association's claim is successful, all the Western Shoshones would benefit, since administrative action can then be started to put the land back under Shoshone control. And if the claim fails, the original claim for compensation will still stand and nothing gained so far would be lost.

But that's not the way some people see it.

The legal action involving this land has been proceeding before the Indian Claims Commission for the past 15 years. The Commission recognizes the Wilkinson firm as the sole representative of the "Western Shoshone identifiable group". The case was first taken through a local Nevada attorney named Badt, who began legal action in 1932 to recover either land or money for the Western Shoshones. The Wilkinson firm joined Badt in the 1940s, and included the Western Shoshone in a claim filed in 1951 for all the Shoshone groups in California, Nevada, Utah, Wyoming, and Idaho.

In 1959, the contract for both the local attorneys and the Wilkinson firm came up for renewal. Such contracts have to have U.S. approval. Negotiations were begun by the Superintendent of the Nevada Indian Agency, who called "a general council" of the Western Shoshones. A notice of meeting was sent out to the chairmen of all Western Shoshone tribes, colonies, and communities.

That "general council" met in Elko, Nevada, on August 12, 1959. It elected a chairman and passed a resolution authorizing one of the seven councils representing Western Shoshones to sign the contract with Wilkinson, Cragun & Barker. The chairman signed the resolution, which designated the TeMoak Bands Business Council as the Western Shoshone agent for hiring attorneys, and appointed three persons as claims advisors to the council. Negotiations were concluded with a contract between the TeMoak Bands and the Washington firm.

The Association raises several important questions about this procedure. The status of the general council itself is debatable, since it was not a "tribal council" incorporated under either federal or state law. Neither was it a council called by traditional leaders in the Old Way. It was an informal body which, under Claims Commission regulations, is not empowered to submit a claim.

Some Shoshones wonder now why one tribal council, representing less than one-tenth of all Western Shoshones, should have been permitted to take an action purporting to be binding on people it did not represent.

Glenn Holley, presently chairman of the United Western ShoshoneLegal Defense & Education Association, and vice-chairman of the Battle Mountain Indian Colony, says that fewer than 50 people attended that general council meeting. "Only four tribal chairmen were there," says Holley, and "of those four, one was representing the Paiutes from Duck Valley Reservation. The other three were put on that claims committee to advise the TeMoak Bands, but one of them – who was Battle Mountain chairman at that time – took his name off that resolution after the people here jumped on him and asked him if he really knew what he was signing and told him they didn't want any part of it."

Most of the Shoshones are completely detached from the present claims suit, the Association charges. In 1965, a Wilkinson partner, Robert W. Barker, called a mass meeting of Shoshones from all over the state for the purpose of approving his contract. The Association says most people walked out. Since no one was left to take action, a few people – now members of the Claims Committee – suggested to Barker that such a committee be set up to represent all the Western Shoshone people.

Barker subsequently set up an informal claims committee. Like the "general council," it has no constitution, by-laws, or charter. Eight men were selected for the committee in four informal meetings held in Ely, Austin, Elko and Owyhee.

The Claims Committee supposedly constitutes a channel through which the Western Shoshones and their claims attorneys may communicate. In theory, at least, it was supposed to broaden the Shoshone input over the sole representation of the TeMoak Bands. But the committee has remained pretty much the same for the last ten years. Some Shoshones say the members were not actually nominated from the communities they are supposed to represent, but were selected by attorney Barker and rubber-stamped by informal meeting.

"At a meeting back in the sixties," says Glenn Holley, "I asked Barker to show me a document where it stated that fact that our land had been taken, and also to show me a document showing that the Claims Committee members had actually been elected by the people." He closed his briefcase and said, "I don't talk to fools."

Holley, of course, is one of Barker's clients. The attorney-client relationship has recently come under severe criticism from Association spokespersons. On June 16, 1974, Ernest Wilkinson held a meeting with the Claims Committee in Elko. Present were committee members, four claims attorneys, a BIA representative, one attorney representing the Association, and some Shoshones present as individuals.

According to the Association viewpoint of what happened, the attorneys insisted on telling the Shoshones exactly what the limitations of their case was. "We're telling you," an associate named White said, "We're telling you that the Indian title was extinguished."

"But we're telling you right now," asserted Wilkinson, "that on the basis of our experience, what the Indian Claims Commission has ruled in other cases, we don't think there's any possibility [that the Western Shoshone might recover control of their lands]."

That's where the traditional Shoshones differ. They believe their case is clear that their title was never extinguished. They want their land and not the money. And they believe that their attorneys should be fighting this case for them.

—photo by Joel Friedman

Eunice Silver, medicine woman, Shoshone Nation at Battle Mountain

And that's why the Association retained a different firm to press this case. The representation of Kinghorn & O'Connell, however, is being opposed before the ICC by Wilkinson. There is even controversy over whether this opposition was authorized by the Claims Committee.

Wilkinson maintains that, through the affirmative nodding of heads, the committee did give that authorization. However, members of the committe have since said it had authorized both firms to proceed in the best interests of their clients. At this point, the Association's petition to the ICC merely requests a hearing — it does not present a case.

This is not the first time that traditional Shoshones have questioned the Wilkinson firm's actions on their behalf. In 1973, a stormy meeting at Elko resulted in traditionals walking out. The Battle Mountain Indian Colony, composed entirely of traditionals, presented a letter to the claims committee withdrawing its members from participation in the claims proceedings, stating that they intended instead to retain sovereignty and title to their land.

The Bureau of Indian Affairs has taken its stand, too. It's Nevada representatives admit that the Treaty of Ruby Valley was "a very bad treaty," but they say it did "take a lot of land."

Congressional records from 1862 say otherwise. Legislators at that time understood the Treaty of Ruby Valley as one that did not "contemplate the purchase of any land." That is, it was to be a Treaty of Peace and Friendship, not a ceding of lands.

An elderly Shoshone medicine woman who knows human nature as well as she knows her land and her treaty summed up her view of the BIA presentation at Elko in 1973: "You lie. Your face tell you so."

As if affirming this elder's observation, the U.S. has contradicted the BIA's statement in another case involving title to land.

In this case, two young Shoshone women — Carrie and Mary Dann — are defendants in a civil action brought by the Bureau of Land Management. Their family has been living in the Crescent Valley area of northeastern Nevada for as long as they can remember. The Dann sisters' father homesteaded a small 160-acre tract in the 1930s, but the family has always used their tribal lands without paying fees or getting permits from the U.S.

Mary Dann regards the homestead as just that — a place to put a home. She and Carrie have been grazing several hundred head of cattle and horses on the "public domain" for years, just as their grandmother did before them. She says her grandmother, who had horses, took "her horses wherever she's going. If she's over there pine-nutting, then it's time to do something else, well she takes her horses along."

Mary Dann charges that U.S. agents killed a lot of her grandma's horses.

"He'll turn them over so they won't see the brand, or he'll put the liver on the brand. I don't know what that meant, but that's the way it was done, they said. At that time, they didn't have a ranch. They stayed out there. They just camped wherever they want. She has a tent that she puts up wherever she wishes, even in wintertime. She still lived in tent when she got sick. She don't stay in the house. She'd bundle up the tent, put it on a horse, and go where she wants to go. Even two years before she died she used to go out and do it. And that's in '57 that she died."

Two years ago, the Bureau of Land Management decided to collect grazing fees from the Danns. The Danns refuse to pay them. Now the BLM has levied a fine against them, and is suing them in U.S. District Court for refusal to pay the fine.

The Danns are represented by Kinghorn and O'Connell, the Association attorneys, who base their defense on the fact that the Government has not taken the land the Danns are using under any of the treaty stipulations, and therefore Shoshone title has not been extinguished. Since Shoshone title is still valid, the Danns — and all other Western Shoshone — have a legal right to use it.

The Danns point out that they are not the only native people who use the "public domain" without paying grazing fees. "There was a guy who lived in Pine Valley," says Mary Dann. "They just lived there, that I know of. It's not allotment. They just made their place out there and lived on it. He had lots of horses. They were all over the mountain here. He lived other side of this big mountain here."

Mary Dann says there are others who still use the land for pine-nutting, grazing, and just plain living. "We gather over five bags of pinenuts at one time. We didn't get permit. They're good. You got to bury that. You roast them first. You shell them too, first, and then you cook it. It's still got that fresh taste to it when you take it out. We got it for four years now. It's still good. We put it in a can, since there's cans now, and it's still good as long as it's dry."

Wild carrots are another crop from Creation's garden that Mary Dann collects.

"You roast them or dry them. We bury that too, and they're still good, just in the ground. They're fresh. They keep about a year. And wild parsnip, I guess you'd call it. Sego — you eat that. That's a root. I just know three kinds of onions you eat in the spring. Of course, there's all kinds of goodies on the mountain, if one knows about it. Chokecherries are good now. Elder berries are ripe now. There's lettuce, too."

The U.S. Attorney for Reno has answered the first interrogatories filed by Kinghorn & O'Connell in the Dann case. His reply brief was surprising. He says the U.S. acknowledges that the Treaty of Ruby Valley is still "in full force and effect."

But in response to the request to "please set forth the method of acquisition of the purported title of the United States of America to the lands" described in the Dann complaint, the U.S. attorney cited the Treaty of Guadalupe-Hidalgo.

In this treaty, Mexico in 1848 ceded to the U.S. jurisdiction over 338 million acres of land including the state of Nevada. But the Treaty did not extinguish Indian title. In fact, in 1860, a Department of Interior official affirmed that the Treaty actually guaranteed Indian title to their aboriginal lands.

Obviously, the U.S. hasn't got its thing together.

The BIA assertion that the Treaty of Ruby Valley extinguished Indian title in 1863 and the U.S. Attorney's assertion in Reno district court that title was extinguished in 1848 by the Treaty of Guadalupe-Hidalgo collide head-on with the agreement before the Indian Claims Commission between the U.S. and Wilkinson that Indian title was extinguished in 1872 by "gradual encroachment." And all of this collides with the Shoshone assertion that except for a few towns, ranches, mines, etc., the land has never, in fact, been legally taken.

Carrie Dann is irate about this. She says the U.S. cannot legally "take" land simply by asserting that "land has been taken." If that would be true, she said, "The land can be taken by United States any time United States want to take your land. That means, if you had a private property — Indian, White Man, Negro, Black Man, anybody — if the United States can take Indians' land away by the word they use, 'land taking', he can also take the White Man's land away from him, the Black Man's land away from him the same way that he took [the Shoshone] land."

Carrie Dann believes this would set a precedent "in the dictatorship that the U.S. Government will have over all individuals."

She says, "We're not only fighting for the Indian rights. We are also fighting for all rights and justice for all people that is here in the United States, believe it or not."

Much of the argument about date of taking and method of taking is inconsequential, really, to the United States of America. The most important thing is to litigate the claims case — once it is over and the money is in the hands of the Indians and the attorneys, the guilted-slate is wiped clean, and the Shoshones are prohibted forever from asserting any claim or right to the tract of land for which they are compensated.

The Shoshone traditionals interpret all of this to mean that if what they are selling is their right to the land, then they still must have that right. And that if the title has not yet been extinguished, it will certainly be extinguished once the claims case is over.

For the Shoshones, there is no other land but this land. They cannot, as a people, move to Florida or Alaska and keep on the Shoshone way of life.

As Western Shoshone traditional leader Frank Temoke declared in a 1965 meeting in Elko, "Our legends tell us how we were brought to this land by the Coyote. We know that we are the first people upon this continent and are the true owners. We will continue to hold our Treaty and our lands. This earth is our Mother, and it is not for sale."

(Thanks to Richard Clemmer, Rosalie Martone, & Glenn Holley for this article.)

Further information on the Shoshone claims question can be obtained from:
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KOOTENAI NATION SEEKS RETURN OF LAND

Bonner's Ferry, Idaho – A "declaration of war" by the Kootenai Nation has been set aside temporarily pending the outcome of negotiations with U.S. off cials in Washington after a series of actions were taken September 19 including the maintenance of toll collection stations along Interstate highway 95 in northern Idaho, and U.S. 2 in western Montana.

The toll stations were set up to show the Kootenai sovereignty, and to dramatize demands for a 128,000-acre land base and financial reparations for aboriginal lands. The council of the Kootenai Nation at Bonner's Ferry had unanimously passed a resolution giving U.S. President Gerald Ford until midnight, September 19, to respond to demands.

Kootenais Re-establishing Sovereignty

When the U.S. did not respond to the ultimatum, at midnight the Kootenais read a "declaration of war" outside their dilapidated headquarters, located directly across the street from the equally rundown police station.

The declaration was signed by Moses Joseph, tribal chief; Amy Trice, Mathias David, vice-chairman; Eileen Lowley, secretary, and Mary David, tribal council member.

When there was no response, the Kootenai spokespersons said the U.S. had relinquished its "power of domain" over 1.6-million acres of northern Idaho and northwestern Montana, and "a state of war exists."

The Kootenai people here have never signed a treaty. The Montana Kootenais, along with the Selish and Kaispel Nations, signed a treaty July 16, 1855, which established the Flathead Reservation in northwestern Montana. The 65 members of the Bonner's Ferry band maintains it was not a part of the treaty, and the U.S. has refused to confirm their land to them in this isolated and mountainous area of extreme northern Idaho.

In 1962, the Indian Claims Commission paid 36 cents an acre for the lost land.

The original 7,000 acres allocated to the Kootenais has been allowed to deplete to 1400 acres, most of it leased to white farmers. In 1927, some 4,000 acres of the original allotment was sold to the non-Indian community to facilitate the agricultural development of the rich bottom lands.

Although Kootenais never relinquished their rights to hunt, fish, and trap, they have been regularly arrested, tried, and convicted for exercising their aboriginal rights. Burial and ceremonial grounds have been uprooted, desecrated and destroyed. But worst of all, the Kootenais say, the U.S. assumed "trusteeship" over the Kootenais without their consent.

Without a land base, the Kootenai Nation does not qualify for most Federal programs and services. On September 19, the day of the declaration of war, 5.67 acres of a former Roman Catholic Church property was transferred to trust title for the Kootenai. Another bill in Congress, S.634, has passed the Senate and has been reported out of the House Interior and Insular Affairs Committee – it will grant just 12.5 acres, an amount termed by the Kootenais as "an insult."

BIA Commissioner Morris Thompson worried that if the Kootenais continued to be uppity, Congress might not come through with the tiny plot of land. "I would urge that nothing be done to jeopardize passage of this bill," he said.

The Kootenais have a written constitution and by-laws which are acceptable to the Secretary of the Interior, although the tribe voted against organizing under the 1934 Indian Reorganization Act.

Among the key demands are: retention of 128,000 acres of their land to be placed in trust status as a federal reservation; consent to easements across the land; federal recognition of their rights to hunt, fish, and trap; construction of a temporary tribal building; consolidation of water and mineral rights; $1,367,280 in additional funds for land paid by the Indian Claims Commission in 1962 for 36 cents an acre; no retaliation for the declaration of war; retention of tribal laws, police and courts. and finally, that the treaty must be ratified by the Senate and signed into law by the President of the U.S.

The first day of the war ended without arrests or incidents, other than name-calling by some whites who drove by the downtown tribal headquarters. The war started when five Kootenais, accompanied by 25 reporters and photographers, established two toll collection points along U.S. 95, asking motorists driving through their land to volunteer a ten-cent toll. About half of the motorists paid, sometimes waiting in line to do so, while others whizzed by. The site of the roadblock was moved voluntarily when state troopers requested a different location which would not impede traffic.

It was no small wonder that not too many people stopped to pay the toll. There were 20 state troopers cars parked alongside the road near the informational booth set up by the Kootenais. The police had erected large signs stating, "Anyone Who Stops On the Pavement Will be Arrested!"

Burlington-Northern Railroads sent representatives to the area when they heard their trains were going to be stopped on Kootenai land. The railroad agreed to pay 10 cents toll for each train car.

Tribal chairwoman Amy Trice said that she was tired of ridicule from the townspeople of Bonner's Ferry, and that she wouldn't tolerate it much longer. "I'm going to have to call Dennis Banks in," she said angrily. "I'm serious – I'm not going to be ridiculed."

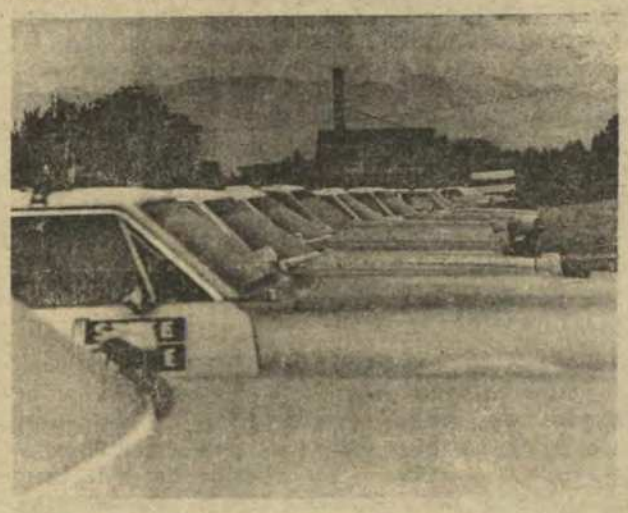
She said city residents and the city council have neither supported or cooperated with the efforts of her people to retrieve aboriginal lands. She said the city "tells us they love us and all that stuff", but laugh at their efforts behind their backs.

During the declaration of war, the Kootenai Nation agreed during three days of negotiations with local government to allow continued Forest Service operations, not to interfere with a local bond election, or to stop farmers from working in their fields.

The townspeople seemed surprised at the Kootenais. John Jeffries, a tavern owner, said, "It kind of surprised me. The Kootenais have never done anything like this before. Hell, I know most of them and knew their parents, too." He joked about the situation, boasting of what would happen in the event of trouble.

Tribal spokespersons said the intent was not to start conflict with the local white community – its argument was with the U.S. Government, it said. "They don't want any violence, and we don't want any violence," Amy Trice said of the townspeople.

Sheriff Chris Ketner of Boundary County said that while the Kootenais may have some legitimate grievance, "the way they're going about it will just alienate the community. When all this is over, the people could have some hard feelings, and it will likely be directed at the Kootenais."



State police cars at Bonner's Ferry

Fears of white residents were fanned into flame with the arrest of five native men allegedly carrying a small arsenal of weapons, including four semi-automatic rifles.and 2500 rounds of ammunition, headed east out of Seattle. The men were said to be wearing AIM buttons. Their car was stopped on a routine traffic violation. Police said there was no evidence they were headed for Bonner's Ferry, however. (Arrested were Nanache Eagle Wolf, 33, of Rosebud; Leonard Little Shell, 31, of Seattle; Roque Duenas, 35, Seattle; Herbert Butler, 31, Van Nuys; Wayne Conway, 35, Tacoma.)

Bonner County Sheriff Robert Wilcox said his department was ready and willing to move in if the Kootenais blocked off the highway. Idaho Governor Cecil Andrus warned that he would order state police to arrest any tribal member who set up roadblocks or claimed control of aboriginal lands.

Andrus said, "There is no Indian reservation at Bonners Ferry and the land and property to which the Kootenai Indians seem to be claiming title is presently owned privately or by local, state, or federal governments. So if there is a quarrel, it is a matter for the courts to decide."

At least 40 state police cars were massed behind the community hospital, which was pressed into service as overnight housing headquarters for the policemen. Local residents named to coordinate information for local agencies estimated that up to 120 police officers were in the town, which normally has about 2,700 residents.

Before the declaration was made, Andrus made speeches on an election tour saying he was behind the Kootenai in obtaining alltheir demands.

With the declaration, Andrus reversed his previous stance of support, and assured local white community officials that the National Guard was on stand-by alert if needed. He ordered 120 Idaho State Police in 40 cars into the area. They were accompanied by dozens of FBI agents.

A.J. Baylon, Bonner's Ferry mayor, said he feared violence despite an all-day emergency meeting at which the Kootenais said they planned no violence. Baylon noted that the tribal leaders had said that if whites started trouble, they would retaliate, and the mayor wasn't so sure but that some of his citizens might start trouble.

After the declaration, there were threats of violence against the Kootenais. Someone threatened to blow up Doug Wheaton's trailer house. Someone else rumored that the Catholic Mission would be hit with a bazooka shell during a Sunday afternoon mass. Twenty people from Montana, British Columbia, Washington and Oregon gathered to give support to the Kootenai.

"We hope this to be peaceful, and we want to keep it peaceful," Doug Wheaton said to the Bonners Ferry community. "It will only become violent in the event that the white community creates a problem. The Indians won't do this because they believe in peace – they've always believed in peace and they believe that they can still live in peace with their neighbors. All they want is a fair share of what is rightfully theirs and in essence, always was theirs and has never been given up either verbally or written by any member of the tribe at any time in history. They actually do own these lands and rights, even though they have never been recognized since the white man came. We do want this to remain a peaceful thing, and we don't want any threats or anything like this. We want to peacefully acquire what is naturally ours."

"We are not asking for war," Amy Trice said. "But the news media neglects to see the peaceful negotiation part. These people [of the U.S.] are thirsty for war. They did not get enough with Vietnam, Korea, and Germany – they want it right here at home."

When asked whether war would be declared, she said, "We are not a war people, but if we're pushed into a corner, that's the only thing we can do."

Despite the announcement of peaceful intentions, law officers seemed to over-react. In a meeting with tribal representatives, Idaho's director of law enforcement, John Binder, loudly kept repeating, "Is this going to be war or peace?" When four Indian persons walked down main street together, one officer pulled his gun on them, although he didn't fire. When they returned to the tribal office and began drumming and singing, John Binder ordered the police station barricaded.

Doug Wheaton, a Kootenai spokesman, said the BIA had ample advance notice of the plans. As to suggestions that the Kootenais should go to court, Wheaton said "we couldn't see waiting five or ten years in the courts to get something that would be gingerly meted out to us like a lollipop to a child." Some of the Kootenais live on their aboriginal lands to the north of the U.S. border on land claimed by Canada.

The highest official the BIA could shake loose to meet with the Kootenais on their demands was Portland area director Francis Briscoe. Chairwoman Amy Trice said "this isn't good enough. I'll tell my people, but they are not going to be happy with this. We'll go ahead with our plans.

Finally, Martin Seneca, BIA director of trust resources, flew in from Washington. He was talking in terms of major congressional action. But Wheaton said the goals would not be abandoned in the meantime. "If Seneca just came here to pacify us, he can just go backto Washington," he said. "We're all done backing down."

On September 30, at a meeting of the Affiliated Tribes of Northwest Indians in Spokane, BIA commissioner Morris Thompson. The group, including Lummi, Quinalt, Shoshone-Bannock, Spokanes, Squaxin Island, Makah, Colville, Warm Springs, and Stillaquamish voiced support for the Kootenai cause. "We need the facts, background, and all the information so when I go before the various congressional committees, I have a solid case to present," Thompson said. He promised the Kootenai case could be ready to go before the next session of Congress in 1975.

Three days after the blockades began, a congressional delegation of Senator James McClure and representative Steve Symms, both Idaho Republicans, flew into this logging town to mediate the war. The car carrying McClure and Symms from the airport did not stop at the toll station en route to the tribal offices.

"The main reason we came up here was to let these people know there are ways to get something accomplished and it is not necessary to take violent action," Senator McClure said. "There are ways to get things done other than knocking heads. You sit down and talk things over." Which was just the Kootenai point after 120 years of waiting.

The two officials had a 30-minute closed session with the Kootenais, and said after they would work to open direct communications between the Kootenais and the BIA. Wheaton said of the meeting, "We got the same political jargon that 'everything takes time.' "He said he had assured the congressional delegation that the situation was "hot" and that"it's mandatory to begin serious treaty negotiations. In this case, no news is not good news."

In the meantime, however, the BIA delegation which had been expected long ago had still failed to materialize.

On October 7, the Kootenai leadership – Amy Trice, Doug Wheaton, and tribal secretary Ilene Lowley – went to Washington, D.C., with a complete package of long-range plans and goals. Mostly, it discussed how it would utilize a reservation in the Panhandle National Forest – a resort-type complex would be built to produce revenue, there would be improved housing, and most of all, control of their own destiny.

Support can be sent to Kootenai Tribe of Idaho, Box 1002, Bonners Ferry, Idaho 83805.

(Thanks to Jim Dullenty of the Spokane Chronicle,Tom Nichols of the Kansas City Times, the Sandpoint Daily Bee, the Associated Press, and United Press International for part of the information used here.)

(This editorial supporting the Kootenai cause appeared in the Sandpoint, Idaho, Daily Bee on September 13.)

The Kootenai Nation, like every other Indian people was wronged by the United States Government and its people. In the name of rightful possession, the U.S. took the land of the Indians. It was no less than imperialism.

One would think that after 200 years, things would have changed in this country. One would think that the Government would try to make more than just a token gesture in compensating the original Americans for the land that was wrongfully taken. But in reality, little has changed.

The Kootenai people are some of the poorest people in this country. Yet at one time, they were the proud owners of over 1.5-million acres of land. Now their possessions can be counted on two hands.

They have had enough, and are now taking the necessary steps to rectify their situation. While they claim the land to be theirs, they do not intend to uproot present inhabitants of that land, only to be paid for it. And the price they ask – $1 per acre – is little compared to the value of that land today.

. . . What these people are asking isn't much. They just want to claim self-determination, as they put it – the right to decide for themselves what will be. They are not children, and it is time they cease to be treated as such.

GANIENGEH IN STATE OF EMERGENCY

Ganiengeh (near Eagle Bay, New York) – A suit in U.S. District Court by the state of New York to force eviction of Mohawks re-establishing their homelands here plus vigilante attacks and a tragic shooting incident have turned this quiet encampment into a state of emergency.

Initially, local residents had been sympathetic. Public support was widespread for the hundred or more native people who took over a tract of 612 acres, refused to allow press or officials entry, and announced via a manifesto their desire to live quietly according to their traditions. They cited reasons why they felt both a moral and legal right to their claim.

That was in May. In October, residents of Ganiengeh said they had taken sniper fire from a nearby mountain while they were picking medicines. There were reports of gunshots from passing cars. Defensive positions were taken, and armed guards were posted.

Then, in late October, a car containing occupants from a nearby village drove by the encampment. The Mohawks say they were fired upon. Rifle fire was returned, causing serious shoulder wounds in a 22-year-old man. Later the same night, another car went by, and again, the Mohawks say, they took gunfire. Again shots were returned, this time causing injuries to a nine-year-old girl riding in the back seat.

Non-Indian residents of the area say the cars were fired on without having given any provocation. They say trigger-happy native men from New York City had changed the mood of the encampment to hostility. Now Indians from other parts of the land passing through have difficulty even purchasing gasoline feelings are so high.

Both State troopers and Mohawk security have closed off the four roads leading into the camp, and each are allowing only authorized persons to pass through.

Earlier in October, the state went to federal court, asking for a ruling that New York State holds title to the lands, and asking for an eviction order. That procedure would guarantee that the state would be legally covered in the event of trouble.

While lawyers for the Iroquois Confederacy have begun to answer the suit, the Confederacy says the matter is one for negotiations between their nations and the United States, and that it is not a practice for one nation to summons another into its courts. The Confederacy maintains that the treaty which would give New York State sovereignty in the area was invalid, since its signator, Joseph Brant, had no authority to sign the treaty on behalf of the League of the People of the Longhouse.

Leaders of the Iroquois Confederacy have held several meetings with New York State Police officials. They are insisting that the procedure outlined in the treaties be followed. According to the 1794 Treaty between their nations and the U.S., when trouble of this sort occurs, the problem will be reported to the President of the United States. He, in turn, will ask the

Confederacy for a reply. The Confederacy will investigate the situation, and from then on, it is a matter for negotiations. The New York State Police want the ones who fired the injuring shots to be turned over to them for prosecution.

The Governor of New York has urged his citizens to remain calm.

A Statement From The Six Nations Legal Task Force

The Ganienkeh settlement near Eagle Bay, N.Y. has encountered the forces of local ill-will and the State Police, and is now struggling to maintain Mohawk sovereignty and treaty rights. Ganienkeh, seen as a symbol to reassert Iroquois heritage was established this past May with the endorsement of the Mohawk Longhouse. This autumn, support was extended by the Six Nations Confederacy, and Iroquois people have been excited about the new Mohawk community set up to run according to the old ways.

For five months the 600-acre encampment developed at a quiet pace, and non-native residents in the area expressed general support. There have Been six or seven shooting incidents, but they have gone unprosecuted because of Ganienke's position that the non-native people should admonish their own in such circumstances. On Sunday, October 28, two more shooting incidents occured, which resulted in severe back wounds to Steven Drake, 22, an area resident, and Susan Madigan,9, of Geneva, New York.

State Police blockades were immediately set up, sealing off all entrances to Ganienkeeh. 75 State Troopers were assigned to the area. An impasse was created when the Mohawks refused to gtant access to the camp to state authorities, citing the 1794 Canandaigua Treaty between the Six Nations and the United States. Article VII of the treaty provides for negotiations between the U.S. federal government and the Six Nations government in such circumstances. The position of the State Police is that they are compelled to investigate the matter fully.

After ten days of negotiations, it was agreed that a joint investigation commission made up of police, Mohawks and local clergyman would search the roadside area near Ganienkeh. Major Charland said that he would make a written statement that in his opinion the search is consistant with the treaty. The Major also agreed to take down the four existing roadblocks and replace them with checkpoints.

Ganienkeh and the Mohawk Nation are appealing to President Ford under the treaty, and a commitment has been obtained from the Soliciter's Office of the Department of the Interior to investigate the ancient Iroquois fight with New York concerning jurisdiction over Indian land.

For further information, contact: Six Nations Legal Task Force, c/o Forge Motel, Old Forge, New York. (315) 369-3313, ext. 44.

HOTINONSONNI

ONONDAGAS REFUSE TO EXTEND VISAS AS DEPORTATIONS CAUSE TROUBLES

Onondaga Nation (near Syracuse, N.Y.) — In accordance with the decision by the Onondaga Nation Council, the Onondaga Warriors' Society evicted all non-Indians remaining on nation lands after July 23. The action took place nine months after a similar action by the Warriors Society of the Mohawk Nation at Caughnawaga.

The Onondagas have only a small six-mile-by-four-mile reservation left of their former vast territory — and they maintain it is for them alone. In fact, under a U.S. law, if a "preponderance" of non-Indians accumulates on the lands of a sovereign Indian nation, the land is no longer considered a reservation.

Mrs. Audrey Shenandoah, a senior woman in the Onondaga government, warned of "what's happening to Indian people for not watching what's happening — if we'd waited another 30 years, the whites would have tripled and then we'd never have gotten them off."

The original order of the council was to remove all non-Indians from the reservation, including non-Indian spouses of tribal members and children of non-Indian mothers, since in the Iroquois way, descent is reckoned along the mother's line.

The due process of the Onondaga law was followed. The eviction order came in March, giving the non-members until June 30 to leave, a date chosen to coincide with the end of the school year. All but seven of the 30 families involved were gone by that date, and even then, the council said it wouldn't take any physical action until July 22nd in order to give the United States an opportunity to remove its people under provisions of Article 7 of the Treaty of Canandaigua.

That extension was announced to both the President and Attorney General of the U.S., who were told it had been granted "in order to maintain the peace and friendship that has existed between our people, the Six Nation Confederacy, and the people of the United States of America."

As the time came for the Warriors' Society to act under the council's direction, tension was built up by law-and-order district attorney Jon K. Holcombe, who seemed to give nightly interviews with 50 sheriff's deputies vehicles lined in the background, saying he didn't expect trouble. Holcombe said that he would manage the evictions himself if the council would invoke a section of New York State law regarding intruders on reservations, but the council maintained it was a sovereign body and that New York law had no authority on the reservation.

The council's ruling against non-Indians residing on the reservation had been relaxed since it was enacted in 1919, especially after World War II found some men bringing home war brides. Gradually, numbers built up.

— Frank Brieaddy/New York Times

Bertha Dimler, an Onondaga, and her husband, George, who is a U.S. citizen, confer with Jon Holcombe, Onondaga County district attorney, and Capt. Blanchard Crysler of the county sheriff's office after they were involved in a dispute on his deportation.

While there is a process by which non-members can be adopted into the Nation, this was an infrequent occurrance, since many non-members were more accustomed to U.S. legalitys and Christian doings than the Onondaga-style council's procedures.

"We're not happy about it at all," Audrey Shenandoah says. "All of us have families that are involved on both sides. The chiefs have tried to phase out the white people gradually, but everybody wanted to be a special exception, so they finally decided the only way to do it was to have no exceptions."

The U.S. Census says the Onondagas have 752 residents on their reservations. Onondagas say these figures are highly inaccurate, because the Onondaga Nation has never permitted U.S. census-takers on the reservation.

Local civil liberties groups had mixed feelings on the reservation. Accustomed to supporting Indian causes, they now found themselves on the other side, insisting that the Onondagas observe due process of law — meaning New York law rather than Onondaga law. There is no police force or other municipal hierarchy on the reservation — the laws are enforced by the people, not policemen, acting under the spiritual and legal guidance of leaders selected by the women of the nation, and accountable to them.

"I'm appalled by the denial of due process," Clifford Fonstad, director of the central New York chapter of the American Civil Liberties Union, said. The Onondagas, on the other hand, blame ACLU lawyers for convincing the squatter families that they should stay and fight it out in the American courts.

The night of the eviction, Ruth and Calvin Gibson burned their house down. They had lived there 25 years and raised 11 children. The blackened eye and cut nose sustained by Ms. Gibson's nephew when he tried to resist the eviction were probably the worst injuries on either side.

Onondagas pointed out that the statement that the house had been burned "because I don't want the chief to get anything" wasn't true. Owners of the homes could have retained their homes, renting them out to Onondagas, for instance.

Mitchell Bush, an Onondaga who works for the Bureau of Indian Affairs in Washington, says he doesn't feel enforcement of the law is harsh. "First, Indian land is for Indians," he says. "Second, we all know — we are born and raised to know — that if we men marry outside the tribe, our children lose their rights as Onondagas."

The establishment press, particularly *The New York Times*, was not especially sympathetic to the council. An article headlined, "Onondagas Smash Doors of Whites on Reservation" led off with the statement, "Groups of Indian raiders broke down doors, slashed telephone cables, and menaced several families". Elsewhere, it described how the Onondagas "raided and harassed" and "focused their fury on" white families.

There was an immediate white backlash in the Syracuse area. Quakers took pains to write potential supporters of an Indian urban youth project that it still supported the project. Some claimed that the August State Fair in Syracuse was down-grading the usual Indian Village attraction. A letter to the editor of the *Post-Standard* signed by one Rita Schultz described the "disbelief and horror" with which she read of the evictions which carry "the pungent odor of Nazism, for were not these the same methods used by the Nazis in driving the Jews from their homes?"

Audrey Shenandoah admitted that the situation was still tense, but "it's not as bad as its been painted. The places where violence did take place, it started with the people in the house. One woman used a lead pipe on one of our warriors, and her sister-in-law hit another warrior in the face."

She added, "There's no hostility to whites here. But they have to understand that this land is reserved for Indian use, and if we don't take a stand, there won't be any land left for us and for our grandchildren."

(Thanks to American Indian Press Association, David Bird of the New York Times, John Koster of the Bergen County, New Jersey, Record; and the Associated Press, for information.)

ONTARIO COURT OF APPEAL REJECTS DECISION UPHOLDING IROQUOIS SOVEREIGNTY AND REINSTATES CANADA

Toronto, Ontario — A three-man Ontario Court of Appeal began hearings on June 10 into a case which has thrown open the issue of native rights in Canada by reasserting Iroquois sovereignty over its lands.

In July, 1973, Mr. Justice John Osler of the Ontario Supreme Court ruled in favor of the traditional leaders under the Iroquois Great Law of Peace as the rightful government of the Six Nations Grand River Country, instead of the elected council imposed by the Canadian Government in 1924. His 24-page judgment said that the land occupied by the Six Nations was not a reserve, but had been given outright to the Iroquois. He further said that the Indian Act, which established the elected council, is nullified by virtue of its discrimination by reason of race, contrary to Canada's Bill of Rights.

The elected council appealed Osler's decision on four grounds, mostly questioning the jurisdiction of the court to rule as it did. Also, Burton Kellock, lawyer for the elected council, said that most of the court's decision was based on matters not argued in the September, 1972, trial.

In the summer of 1972, the door to the council house was padlocked on three separate occasions by Iroquois people opposed to the Canadian council. The council went to court to obtain an injunction against the Iroquois — but ended up losing in their own action.

Spectators jammed the Ontario Court of Appeal when hearings began — latecomers were seated among the lawyers, so crowded was the courtroom.

John Sopinka, acting for the Iroquois, said in court that the Canadian Government was backing the elected council to the tune of over $10,000, but that the Iroquois were having to finance the costly action themselves.

Kellock charged that Osler's decision would mean "total and complete anarchy and chaos for this community." However, Osler had noted in his decision that of the 10,000 band members, only 547 participated in selecting the Canadian council, the Iroquois having boycotted the proceedings as they do each year.

The court action was the latest in a long round of problems which the Iroquois obtained when they fulfilled, unhappily, a promise to remain allies to the British. Under that treaty, the Iroquois were obliged to aid the British side in the American Revolution, with the further protection that if the British lost, the King would see that the Iroquois received substitute lands so they could re-establish under their former condition — namely as a sovereign people.

That promise was at least partially fulfilled when the military governor of the day gave the Iroquois a large chunk of land by virtue of a document bearing his name, The Haldimand Deed. The Iroquois maintain that the land is their sovereign territory. The British — now Canada — say it is simply another reserve owned by the government and set aside for the use of the Indians.

The traditional council maintained control of the reservation until 1924, when under police action, an elected council was put in which Canada immediately recognized. There were numerous skirmishes, including an action in 1958 in which the traditional council house was regained by a massive occupation that eventually was put down by armed policemen.

Outside the courtroom, John Sopinka said that justice had to be obtained for the Iroquois if Canadians didn't want them to take stronger action. "You know what's going to happen," he said. "They're going to resort to doing what they did at Wounded Knee."

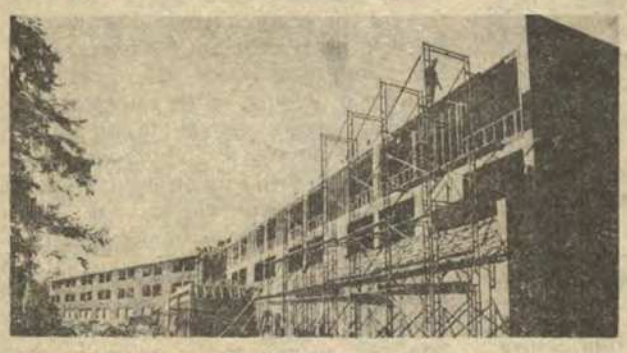
(Thanks to Canadian Press and the Toronto Star for information.)

Minnesota *

Grand Portage, Minnesota – The newest and largest resort hotel in northern Minnesota is under construction on the Grand Portage Reservation in the extreme northeast corner of the state at the Canadian border and Lake Superior.

In addition to the reservation, part of the area is a designated National Monument, maintained by the U.S. Park Service where a reconstructed trading post and stockade is a principal summer tourist attraction.

"The hotel will be the center of a future recreation project," Jim Hull, secretary of the Grand Portage Development Corporation says. "Eventually we hope to have a trailer camp, golf course, cross-country and downhill skiing, snowmobile and hiking trails."



Grand Portage's $2-million tourist home

The reservation has 215 persons, 95% of them Indian. About a dozen of the men are now working on construction of the hotel, and it is hoped that the hotel will be a major source of employment. There will be 100 rooms, lobby and swimming pool, and expected cost is $2-million. It will be operated by Leisure Management, Inc., of Lansing, Michigan.

Still, the complex will hardly return Grand Portage to the hub of activity it was from 1775 to 1804, when the village had more than 600 residents and was the principal export point for furs carried in voyageur canoes to Montreal.

Ron Sherer says, "We don't intend to lose sight of the original culture. This is a way to more independence." Sherer is director of the Community Action Program (CAP) on the reservation. He shows off with pride the Grand Portage grade school, the only log school in the state.

"The county wanted to consolidate the school with the one in Grand Marais (40 miles to the south) but we opposed that," Sherer explains. "Without a school, we believed we would not have a community with a center of activity." He praises the teachers, Dave and Andy Peterson, for rekindling an interest in education and culture. Sherer says the young people are staying home now, and some are moving back from the cities.

The project began when the Interior Department announced that it was thinking of creating a non-commercial "National Indian Park" out of the reservation. And private investment was walking around with money handing from their pockets, talking about commercializing the entire area.

"We viewed both with alarm," Hull says. He had come from White Earth Reservation in 1953 to operate a trading post. "As purely a park, our people would have been driven out by lack of jobs and homes. It would have been the coup de grace. On the other hand, we had enough of outside interference in our lives. What we desired was to retain the natural beauty, but with some type of enterprise that would help us survive."

MINNESOTA FISHERMEN LOATHE TO GIVE UP PRIVILEGE TO NATIVE RIGHTS

Mahnomen, Minnesota – Racial tension has surfaced again here in the northern part of the state as still another reservation seeks to regulate hunting and fishing on their lands.

Non-Indians then tried to get the matter back into court, charging that their rights had been denied. When the court refused to hear their case, they then broke the state-tribal agreement by fishing without an Indian license as a means of getting their case before the court. This action is still pending.

When the state signed the agreement at Leech Lake, the door was opened to other reservations to follow suit, and eventually seven reservations will work out similar agreements. When this happens, most of the state from Grand Portage to Red Lake will be closed to sportsmen unless they purchase Indian validation stamps for their licenses.

Sportsmen, such as the Mahnomen group, say they will take the matter to their U.S. Supreme Court. Elmer Winter, president of the Mahnomen group, says its objections are not concerned with Indians "for we have worked and lived with Chippewas all of our lives," but he said the group is concerned that one portion of the population is given rights denied another portion. However, his group is newly-formed and had done nothing to see that Anishnawbeg received rights which have been denied to them for many years now.

"All we ask is equal rights for both Indian and white," he said. "We have found support from many sections of the state, but we know that in order to get any kind of legislative backing, we must get our story across to Twin Cities residents and those people who live in the southern half of the state and who do not realize our problems or our situations."

While the Minnesota Natural Resources Department delves into treaty rights of the Anishnawbeg at White Earth Reservation, non-Indians are strengthening an organization under a banner dedicated to "equal rights for all citizens." Those high-sounding words mean, essentially, that native people must give up their rights to non-natives.

The organization, formed here, has a membership of about 150, and is called the White Earth Equal Rights Committee. The group wants to intercede in the court case which the Anishnawbeg have brought.

The situation closely parallels the controversy at Leech Lake a couple of years ago, when U.S. District Judge Edward Devitt ruled that the native people on the reservation had the right, under treaty, to hunt and fish and rice outside the control of the State Conservation Department.

Although non-Indians in the Leech Lake area had requested that the state fight the decision, the state chose instead to make an agreement with the tribal council in which the state would allow them to charge an extra fee to anyone outside their membership who wanted to hunt or fish.

CITY CONSOLIDATES RESERVE INTO CITY LIMITS AS NATIVE CLAIM IS DENIED

Cloquet, Minnesota – An effort by the Fond du Lac Band of the Anishnawbeg Nation to prevent their lands from being consolidated into the City of Cloquet has failed, and the Minnesota Municipal Commission approved an order effective next January 1. The order came only two days after U.S. District Judge Miles Lord ruled the new government could not be stopped by the Anishnawbeg.

According to the native position, the state had no right to consolidate Indian land. Part of their lands were in Knife Falls Township, which was entirely brought into the city limits. They said too that they would be discriminated against by the new city government.

However, Howard Kaibel, MMC executive secretary, said, "We cannot stress strongly enough that the consolidation has no effect on reservation rights or land ownership. Judge Lord's ruling has no effect on tribal governing of the reservation."

Judge Lord ruled that Public Law 280 – which is now being subjected to scrutiny in Congress – gives the state criminal and civil jurisdiction over most of the Indian land in Minnesota. He said state laws on consolidation of municipalities fall within this federal law. The lawyers for the Fond du Lac Band argued that federal law and treaties gave them the right to block such consolidation.

The reservation business committee has been blocking efforts of the city to obtain an easement for a well the city owns within reservation boundaries. The city wants to construct a pipeline to the well through some three miles of reservation land. The city now draws water directly from Lake Superior, which, because of industries, is now contaminated with asbestos. The Anishnawbeg have opposed the use of the well because it would likely significantly lower water levels on the reservation.

Wisconsin *

WINNEBAGO NATION PAYS TRIBUTE TO RESPECTED CHIEF AT GRAVE REUNION

Wyeville, Wisconsin – Winnebagos from many areas gathered here June 16 in reunion and to pay tribute to AhWhoChoeGa, the last chief of the Winnebago Nation in Wisconsin.

The reunion was emotional – a young mother wept openly; families separated by years and miles embraced in tearful reunion. They had come as the sons and daughters of the traditional chief, whose name translated into English was "Blue Wing", and whose name pronounced by English-speaking settlers in the area was "Artichoker." He had died at the age of 128 – some say he was 149.

– Ken Wesly/Tribune photo

Rose Miner, AhWhoChoeGa's Granddaughter

Following the dedication of a new monument marking the chief's grave, the group moved to Blue Wing Village for a traditional feast. "The feast is in keeping with old traditions and reflects another lifestyle in which the Indian chief owned nothing," Alberta Day, a great-granddaughter of AhWhoChoeGa explained. "Everything was owned by the people – his furniture, his weapons, everything. The chief would organize a rich and elaborate food festival such as this, out of gratitude and obligation."

Winnebagoes were deported from their homeland, now Wisconsin, to the Dakotas, what now is Nebraska. Some, including Chief Blue Wing, managed to return – or to hide. Over the years, an entire Winnebago settlement near Tomah, Wisconsin, emerged, and ironically, it contains some of the most traditional of their people.

Recently, the United States Government agreed to pay the Winnebago people $4.6-million for their land losses, and a referendum among the people had been won by a faction favoring 100% per capita distribution of the money. The award was provided by Congress on September 3, 1970. There are about 2,500 Wisconsin Winnebagoes, and 2,000 Nebraska Winnebagoes. Each Winnebago will get about $1,100 if the per capita plan goes through. The Nebraska group has voted an 80% per capita settlement, with 20% going for community development projects.

Litigation for the settlement started in 1940 when consciousness about land was not as high as it is now. Now,there is no tribal land left in Wisconsin.

(Thanks to Janice Larue and Pearl Porath of the Lacrosse Tribune for information.)

the sun is becoming darker: the ultimate energy crisis

by Stan Steiner

(Stan Steiner is author of The New Indians, *and co-author with Shirley Hill Witt of* The Way: An Anthology of American Indian Literature *and with Luis Valdez a similar anthology of Chicano literature.*

(He is currently writing a book which will be published by Harper and Row. This essay is one of its first chapters. It was sent to us in memory of the three Akwesasne Notes *staff members who passed into the Spirit World during July. Stan Steiner sent it with this note: "In the time of your sorrow, this is offered as an affirmation of our lives."*

(We are, in turn, grateful to Stan Steiner for his thoughtfulness in sending us this article on The Ultimate Energy Crisis.)

In his hand a ring emerged from the piece of silver. On his finger it blossomed into a turquoise flower. Loloma, a Hopi artist and jewelry maker, was sitting at his workbench. He waved at a sunlit cliff across the canyon. "See the sun?" he said, pointing to the rock. "What do you see? Sometimes when I look, I see the sun in the rock, and I see the sun differently, on different rocks, on the different days. And I try to see what the sun is saying."

"Sometimes they say the sun is not blind. The people are blind. The sun is not mute – it can talk to us. The people are deaf. They can't hear it."

Was he saying that the sun talked to him? He said: It talks to everyone, but differently.

"Sometimes two people were sitting here, on the workbench, by each other, looking at the sun on the mesa, and they see different things. The sun sends messages in different ways. Why? Because the sun has more energies than people know or understand. People cannot know all that the sun tells them. People cannot see all the things the sun sees."

in different worlds. It was a long journey to his world on the high mesa from my world in the river valley.

Loloma asked me: "Why have you come to see me?"

To see the sun. To see the mountains. To write these things, I told him.

"It is a good time for you to come," he said. "Everyday I see more messages from the mountains, from the sun."

What did he see?

"The sun is becoming darker," Loloma said. "Everyday there is less light."

And he told me this story. One day, a few years ago, he had been invited to a Convocation of Indian Scholars at Princeton University in the East. Everyone got up and made long, academic speeches about the problems of the Indian people and the future of America. But, he thought, they were ignoring the true problem.

"I stood up. And all I had to say were seven words," Loloma remembered with a smile.

Seven words?

"In the East, there is no sun!" I said. And sat down.

"First there was silence. Then they all applauded," Loloma said, the shadow of a smile on his bright face. He knew the sun had darkened in the West, too.

* * * * * * * *

On the sacred mountain of the Hopi, near Flagstaff, Arizona, there was a "15% decrease in sunlight", Dr. Melvin Goodwin, director of the State Health Planning Authority had estimated. The darkness came from power plants hundreds of miles away, that were burning up the earth to create electricity for cities thousands of miles away, he said. And so the sun grew dark.

Man had been darkening the sky for centuries. In one hundred years, from 1860 to 1960, the earth has been burned up by man so indiscriminately in furnace and factory in his quest for its energy, that the carbon monoxide content of the air had thickened by almost 15 per cent. Scientists of the climate such as Dr. Reid Bryson of the University of Wisconsin thought that the dirt and dust that man spewed into the sky was blocking "more and more sunlight" from reaching the earth.

The darkness might be disasterous. For, if one per cent less sunlight were to touch the earth, the climatologists thought a new Ice Age might descend upon humanity. And some thought it had already begun.

The earth was not only becoming darker, but colder. Since the 1940s, the global temperature had fallen by an estimated 2.7 degrees. On the north pole the Arctic ice cap was becoming larger. One climatologist, Dr. George J. Kulka of Columbia University's Geological Observatory, had discovered in his studies of satellite weather data that in the Northern Hemisphere, the region of snow and ice had increased by 12 per cent since 1970. Year by year the earth seemed to grow colder.

Some thought all this was due to sunspots. Some thought it was a cyclical weather pattern. But, it was thought by some that man himself was darkening the sun and sky with the wasted energy he so recklessly spewed forth, into the heavens.

In the old villages of the Hopi, where the scarce energies of the deserts were nourished and cherished as was life itself, these thoughts were sacrilege. The way that man was darkening the sun was either "suicide" or "murder", said Loloma. "Maybe both."

* * * * * * * *

It was coming now throughout the West. The desert sky of the Papago and Apache was burnt darkly red and yellow by sulphur and copper. Soon the mountain sky of the Cheyenne in Montana, the Lakota of the golden prairie, the Wind River people of Wyoming, will be black with coal. In the sky of the white man, the air of the city was already gray.

Once, "the sun lay upon the earth," the Osage said, "as a lover would, and in this way it brought "life from the earth." If the sky darkened, inch by inch, then would the earth be unloved and barren. Life on earth would wither and die. And the morning would nver be reborn. That was why the dawn of each day was a "thing very mysterious", said *Tahirussawichi*, in the *Hako* of the Pawnee, "although it happens every day." For it was "man's awakening, after that lapse into the 'nothingness' of chaos, which is sleep"; it was the miracle of a "daily" rebirth. In the words of the Navajo, the whole world was a "House made of dawn", in which

The People lived: without the sun there would be no one, no thing, no world.

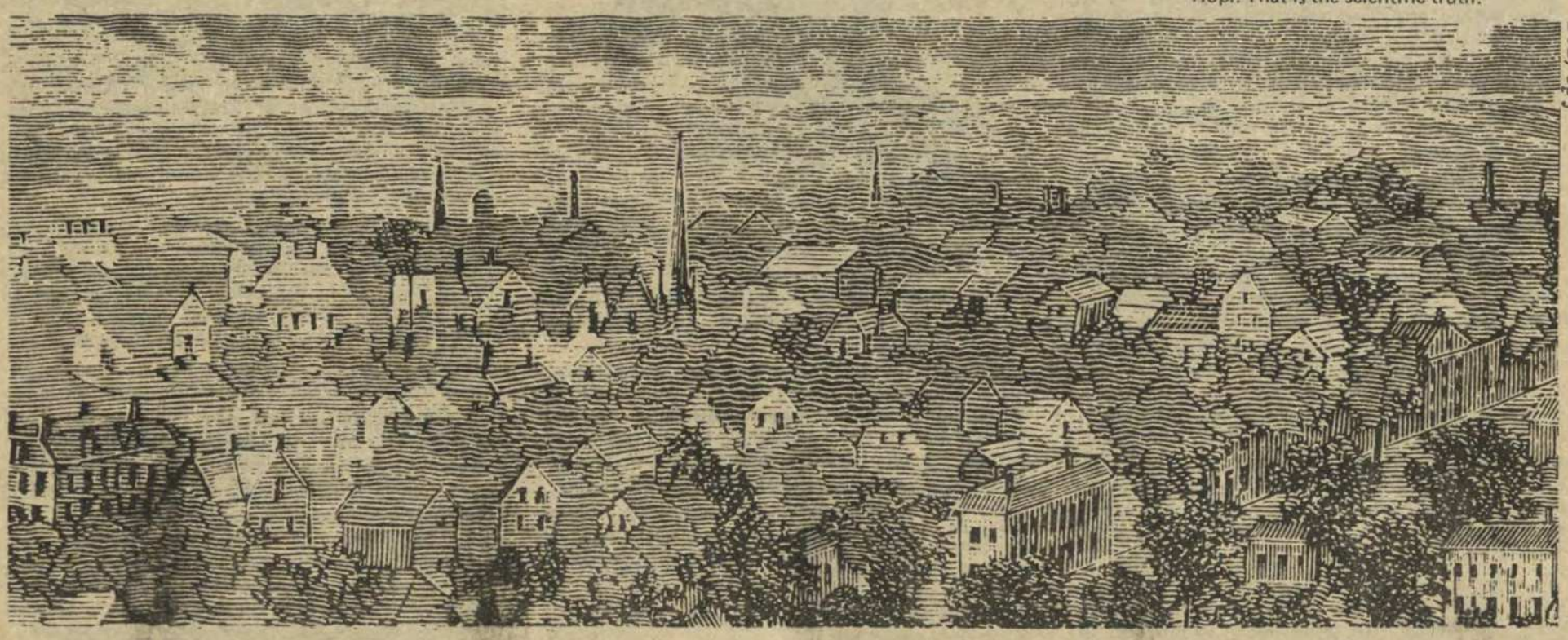
The day was created by the coming of the sun. So was life. In the deeply sacred ceremony of the Apache, when a girl becomes a woman in the Rite of Puberty, the "dawn boys" come with the morning sun to anoint the newborn woman with their light, that is, their energy. And so, the Apache sing to the rays of the sun: "They come wearing yellow shoes of sunlight. They come dancing upon streams of sunlight." The womb of woman like the womb of earth made fertile by the energy of the sun, not by the energy of man. Man merely helps to birth what the sun has created. Man does not create life. That is a concept of energy, as the source of life, that is at once more humble and powerful, more simple and profound, than that of those men who believe they have created, or manufactured, the man-made energy of their self-made lives.

In the song of the Apache there is the knowledge that the sun's "light gives us (our) form and color" of a bodily "defined space" and a place in the cosmos of "fluid time". The energy of the sun is both beyond and within our beings; so as Hartley Burr Alexander wrote in *The World's Rim*, this "reality of the primitive is no less than of an Einsteinian *physis.*"

When a child was born the Zuni lifted the infant to the Father Sun, from whom the energy of its spirit had come. The Zuni sang:

Now this is the day
Our new child
When you go upright
Into daylight.

That is not so, in the way
that they understand that," said Hopi tribal leader Alvin Dashee. "I think they say that because they think prayer to the sun is a philosophy of superstition. That is not so. The Hopi believes in the Creator who made the sun. And the sun is the most powerful and obvious of the Creator's creations. That we see. That we know. So, we respect that and we have reverence for that. We know the sun is not god. The sun is the giver of light. The sun is the giver of life. So, when we pray to the sun, we pray to life. So, that is not a superstition of the Hopi. That is the scientific truth."



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The sun was wiser and older than the people. It was older than the earth. And so, the sun knew more than we knew because it had more wisdom, more energy, more power, more knowledge, more life, than we had. And so, the sun told us things we were still too childish to see, or know, or understand. There was a great energy, as there was a great knowledge, stored in the sun.

Loloma suddenly asked me: "Why have you asked me this?"

Although we were good and old friends we seldom saw each other, for we lived

For hundreds of years, the worship of the sun had been ridiculed and romanticised as a "primitive" superstition of "pre-scientific" tribal people. The German philosopher, Oswald Spengler, had epitomised the European conceit when he denigrated the "primitive man" who like "a child", had no "real knowledge of history or nature", for he was "too intimately" part of thy elements, like the sun. Egypt seemed a "mere incident" in history, he wrote.

Those nineteenth-century philosophical bureaucrats of the Bureau of Indian

Affairs put it more moralistically and vulgarly. In 1882, an Indian agent named J.H. Fleming was sent to study the Hopi tribe, one of the first to do so. He wrote to Washington, D.C., of the Hopi dancing to the sun: "The dark superstitions and unhallowed rites of heathenism as gross as that of Indian and Central Africa still infects them with its insidious poison, which, unless replaced by Christian civilization, must sap their very life blood." That was one hundred years ago. He was wrong.

On the Pine Ridge Reservation of the Oglala, that same year, Indian agent V.T. McGullycuddy cursed the Sun Dances of the Lakota: "Dancing is diminishing, and the heathenish ceremony termed the Sun Dance will, I trust, soon be a thing of the past. He too was wrong.

NEWS ITEM: A slight change in the temperature and rainfall patterns of the U.S., Canada, or Australia would sharply reduce grain supplies, and with more than three years like 1972, it might be impossible to maintain the present world population. (TIME Magazine)

NEWS ITEM: The pollution from the USSR fleet of Super-sonic Transports (SST) alone could lower the world's temperature by one degree, with disastrous effects upon world agriculture. (Environment Magazine)

NEWS ITEM: Our lower temperatures are changing wind patterns, bringing droughts to large areas and floods and tornatoes to others. (Fortune Magazine)

In one way or another, the tribes had learned to honor the energy of the sun. And how that energy flowed. The knowledge of the sources of life, in the green of a leaf, the black of the earth, a flower of grain, the light in a lover's eye, or the red blood of birth and death, had come from generations of observation and scientific thought. So, the tribal scholars and holy men were humbled by the sun, in their knowledge, not their superstition. The sun was worshipped not in ignorance, but in wisdom.

Still, it was wisely feared. The sun was not a heavenly gift to man, but like fire could be a force of life and of death. The Kwakiutl said: The sun has passed through the darkness of death, to become light. Nothing, said the Uitoto Indians, is what we are made of.

If the sun was the source of life, then it had to be the source of death, as well. On the earth, life was born of all that had died, in a leaf of grass or in an infant child. The Pawnee said: The dawn is "the child of the Spirit of Light and of Darkness". For life and death were as lovers. The concept of a negative and positive flow of energy, in one being, was surely as profound as any developed by modern physics.

As did many people, so the Osage painted the bodies of the warriors "the red color shed by the Spirit of Day" so they would be "free of death". Red was the color of life, so red was the color of death. In many tribes, the dead were painted red.

So, in the *Hako* of the Osage, it was said:

Remember, remember,
life of the great sun
breathes life on earth.

* * * * * * *

So powerful is the energy of the sun that no man can know it or imagine it. The scientists have estimated that the radiation that is released by the sun's fires to be a "constant" 350-billion-trillion kilowatts, a figure so vast it is meaningless — 380,000,000,000,000,000,000,000. In onw year, the light of this burning sphere illuminates the earth with an equally incomprehensible 1,500,000,000,000,000,000 horsepower hours of energy. It is as Luther Standing Bear had said — "the Great Mystery."

The fires of the sun burn so furiously that some believe these figures are too timid and earthly. Felix Pasteur has said that the solar energy which bathes the wastelands of the Sahara desert, in one year equals one thousand times as much power as man could obtain by burning *all* of the earth's coal resources — at once! In *Solar Energy*, the German science writer Hans Rau commented that this meant, "If we covered only one-thousandth part of the Sahara with solar mirrors we can theoretically obtain enough solar energy to eliminate the need for coal."

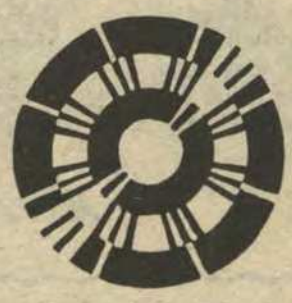
In America, he dramatically suggested that by covering with solar mirrors a 65-mile-by-100-mile area of desert lands in New Mexico, using a minimal efficiency of 10 per cent, enough power would be produced to "satiate the entire power requirements of the United States." The strip mining of the West would cease. So would the destroying of wild mountains for oil shale. So would the defacing of the land with gas and power plants. So would the darkening of the sun.

So, in the *Hako* of the Pawnee it was said:

Now, mother earth,
Now, breath life,
Now, awaken night,
Now, light is born.

* * * * * * * *

Centuries — no, milleniums — before the scientists of Europe discovered that the sun, not man, was the center of our universe, the ancients knew. It was universal knowledge. Many hundreds of thousands of years of tribal societies had gathered a heritage of knowledge about the energy of the sun, its meanings and its uses. The solar science of the ancients was recorded in the sun calendars of the Mayan and Aztec, the Andes observatories of the Inca, the astronomical stone-scripts of the Egyptians and Assyrians, the calculated markings on Stonehenge in England, the lunar calendar of the Medicine Wheel in Sheridan, Wyoming, and the mysterious computation of the eclipses precisely recorded by the niches in the Great Kiva of the Chaco Canyon Pueblo in New Mexico that was abandoned in the fourteenth century. For, as Hartley Burr Alexander had written: "Such conceptions belong to old Egypt and Babylon and Greece, to all tribal people, to Scandanavia and the Mongol world, no less to the people of America."

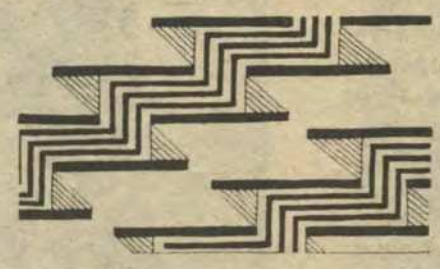


In the beginning, this was universal knowledge. Every tribal people knew it, and had said it, in their own way. The decline of tribal life inevitably led to the decline of knowledge of the sun's energy as a source of life. This too was universal.

The "discovery" of America and the "rediscovery" of the sun were not a historic "coincidence" wrote Lewis Mumford in his essay, "Return of the Sun God." In that Age of Exploration, the sun became the Europeans guiding star for the conquest of tribal life: "no longer was it a satellite or servant, but the master of human existence." As always, in modern society, the sun became the symbol of empire. "When history is on the march, thanks to kings, heroes and empires, the sun is supreme," the classicist Mircea Eliade once had said.

On the sea, as on the land, the "Sun God's ascendancy" created not only a new "priesthood of science" but a "new ideology" of power. The King of France, Louis XIVth, named himself *Le Roi Soleil*, The Sun King, and in the court of Elizabeth I, the idea of a "celestial majesty" was the most popular of "all Elizabethian commonplaces." And in this century, the "Rising Sun" of Japan was but one of the empires that claimed the sun as its imperial conquest, and proclaimed, as had England, that upon its earthly domain the sun would never set.

Man had returned the sun to the heavens, but man had ascended with it. He sought to recreate the sun in his own image, as he had God. If he would hold the power of the sun in his hand, would he not become as powerful as the sun? The "new religion of the sun", as Lewis Mumford named it, became a tool for man's mastery of his world. And the energy of man, not the energy of the sun, was deified. That energy was electricity, a word coming from the Greek, *elektron*, meaning the gleaming of the sun. In the words of Matthew Boulton, in whose London factory the steam engine of James Watt was built, mankind progressed from being "steam-mill-mad" to being "electricity-mad". "I sell here, Sir, what all the world desires — Power," Boulton said.



The Male Attitude, as later seen by Charles Ferguson, became more and more arrogant and egocentric. He wrote: "It is as if the Diety were seen in our day and our terms as a celestial Edison."

For man had done what the sun could not. He thought he had created eternal daylight. He thought he had abolished the darkness of night. If man could recreate and control the energy of the sun, in a machine or equation, was he not as great as the sun? Soon he would be conquerer of the universe of space and time, as he had conquered light — he thought. The sun's energy had become "modern man's slave", wrote the scientific authors of *The Energy Crisis*, Lawrence Rocks and Richard Runyon. It was "our mute and uncomplaining servant."

The sun had been dethroned from a God to a slave. Man became the slave master of the entire universe.

Now it was said the white man had to learn to respect and conserve the energy of the sun. For he was burning up all that the sun had stored in the earth. There would soon be nothing. So he had learned to fear that — it was his energy crisis.

Scientists now said that their power plants, where the energy of the sun and earth was burned to turn it into electricity, wasted more energy than they made. They created as much darkness as light. "We lose two thirds of the energy content of our fuels when we convert them into electricity," said S. David Freeman, a former assistant director of the President's Office of Science and Technology for Energy. "The biggest waster of energy is the electric generating equipment" of the energy industry, said Frank Diluzio, energy advisor to the Governor of New Mexico and a former official of the Atomic Energy Commission: "Now, how can we conserve energy when we waste more energy than we make:" These were startling thoughts.

Once more men lifted their eyes to the sun for salvation. In the 93rd U.S. Congress, there was a deluge of no less than forty solar energy bills. "The energy of the sun is forever. And it is free!" said an advertisement of an energy company. "Earthly Energy Shortages Spur Research to Collect, Use Solar Rays", proclaimed a *Wall Street Journal* headline: "Old Dream of Putting Sun's Power to Work Gets Renewed Attention."

Solar heaters, solar watches, solar honey, solar bread, solar bath oil, solar perfume, solar lipstick, solar deodorant appeared on supermarket shelves. On Madison Avenue, in New York, a sporty men's shop offered an exclusive "Solar Watch" for $500, specially made "to be recharged under a sun lamp."

The selling of the energy of the sun was worse than sacrilege. It was ludicrous. Still, it reflected the belief that the sun existed for man to use. Not that man existed for the sun.

In fear, the men of white science had begun to re-examine, redefine and research the meaning of the sun. Still, they knew it and saw it only within their small minds by what it did for them. Energy could be "best explained not so much by what it is as by what it does," declared a scientific report of the American Petroleum Institute: "And it can work." That is, "work" for man. In the society of the white man, energy "is precisely defined in terms of measurable units as the rate of flow of *useful* energy," wrote Dr. Howard Odum, a leading energy scientist, in *Environment, Power, and Society*. That is, "useful" to man. "The word *energy* is defined in Webster as the capacity for performing work," said H. Landsberg and S. Schurr in *Energy in the United States*, a Resources for the Future study of the John Hopkins University group under the sponsorship of Laurance Rockefeller, Robert O. Anderson of Atlantic Richfield, and similar energy makers. That is, it "performed" for man.

* * * * * * *

On their "mountains of the sun" the Hopi elders laughed at this. Because it saddened them. To them it seemed that the white man had not yet learned the meaning of the sun. Still, he thought that he "created" the energy of the gases, oils, coals and atoms of the earth in his power plants. He thought, if only he could make more powerful machines, he could make more energy. He thought, if only he could make more energy, he would be more powerful. That was his way.

"In his heart he knows it is not so, but the white man believes it anyway," an elder Hopi told me. "Because the white man believes he is the center of the universe. So, he believes what he knows is not so."

The men of white science did not understand. If a man borrowe the energy of the sun, the sky, the earth — it was a gift he had to give back. So the circle of life would not be broken, he had to offer a gift of his own energy to repay the energy he had borrowed. For the energy of human beings was merely one form of the energy of the sun, the sky, the earth. Was that not why the Zuni offered the newborn infant to the sun? Was that not the offering of sacrifice made by the Sun Dancers of the Lakota? Was that not why the runners of Taos Pueblo, in the Sun Races, offered the energy of their running, their sweat, their breath, to the sun: "So the sun can rise again," they said.

But the white man did not give anything back. He did not know how. That was his real energy crisis.

Some of the white men, even now, thought the energy crisis was merely the dubious "gas shortage." Once that had passed, TIME magazine had pathetically declared: "The energy crisis is over!"

"Why can't the white man learn anything he doesn't know?" the Hopi elder asked.

The old man said: "He maybe knows about the kilowatts, but he does not know about where the spirit of the sun comes from. He does not know that."

"Some time, it is said, the white man is like a child," said Banyacya, the Hopi traditionalist. Is it not like a child to think that the whole world exists for you? To know nothing you do not know? To see nothing you cannot see? In this way, the white man is like a child, for he will not learn the sun does not exist for him. He exists for the sun. "So we follow the spiritual circle," Banyacya said. "There is no end to it."

Man did not invent light. He was invented by it. He did not create energy. He was created by it.

The sun was the darkness. And the light. The sun was life. And death. The sun was the beginning of the earth. And it would be the end. So the elders of the Hopi said.

PRISON NEWS & VIEWS

"One of the abiding tragedies of modern America is the tendency to discard human beings like beer cans – and on no small scale. We have indulged our wastefulness with entire classes of people – black people, poor people, the remaining Indians, the elderly, and not a few of our young people . . . The cost is monumental, and its consequences from the skid rows and ghettos of our cities, to the reservations, to Appalachia, to the fetid lockups and cages of our jails and prisons – tells us unmistakably of a reckoning to come. One reaps what one sows – in our prisons as in many other areas of our national and international life, we have been sowing a whirlwind."

– The Bill of No Rights: Attica and the American Prison System

TWO NATIVE MEN CAUGHT IN ATTICA WEB & FACE REBELLION TRIAL SOON

Attica, New York – On September 9, 1971, at the state correctional facility here, 1300 inmates seized the prison's D yard and 38 of its employees as hostages. After months of petitioning through administrative channels with no response, they had chosen this militant path, and for four days they held their yard while negotiating on a set of long-standing grievances.

On the morning of the fifth day, the prison yard was recaptured by an assault force of several thousand law enforcement personnel who came over the wall in a cloud of tear gas and a hail of bullets. Even after the rebellion had been put down, inmates were beaten anc murdered. By the next morning, there were 39 dead – 30 inmates and 9 of the hostage prison workers.

Nearly 15 months later, a grand jury returned 37 indictments naming 59 inmate rebels on 1300 counts, ranging from possession of contraband and sodomy (offenses normally handled through administrative hearings within the prison system) to kidnapping and murder. The combined sentences could add to 40,000 years. Two native men were indicted.

They are John Hill, 21, and Charles Pernasilice, 20, charged with beating guard William Quinn and causing his death. He died two days after he had been sent out of the prison and taken to a hospital. During the rebellion, prison officials had first claimed that Quinn was pushed out of a window and that story was widely circulated in the press – until someone pointed out that all windows inside Attica are barred.

Pernasilice had been released on parole and was re-arrested. He had originally been picked up when hr was 16 for taking a joyride on a motorcycle, and wa sentenced to four years at Elmira Reformatory. He served 18 months there, and after getting out, he went to California. This was considered to be a violation of his parole. He was picked up for hitchhiking, and was sent to Attica to await his parole violation hearing. He was waiting there when the rebellion happened.

Asked by a reporter if he planned to plead not guilty to the charge, Pernasilice said, "Damn right!"

The Rebellion took place when responses to 27 demands set out by an inmate committee were slow in being met. They included such things as legal representation at parole hearings, periodic medical check-ups, ethnic counselors for inmates. When two prisoners were thrown into segregation, it provided the spark to set the Rebellion off.

John Hill . . . a Mohawk at Attica

John Hill has been out of jail since late August – and the circumstances of how he got out are as moving and serious as the rest of the Attica story. Inside, John had been tight with a black brother, William 'Goldmine' Bennett, another indictee in the rebellion.

"The beauty of my brother Goldmine, the love between us two was just like one person," John says. "We almost died together. Gold was intense – he was really intense."

Goldmine was granted parole this last summer, and was then eligible to be bailed out of prison to wait trial on his Attica charges. John had some money in an inheritance, which he posted for Goldmine's bail. Shortly after that, John himself was given parole and had bail set at $5,000. Goldmine heard that the money was needed.

"He got killed in New York City four days before I got out," John recalls quietly. "He got killed trying to rob a bank. I guess the money was going to go foi my bail." He tells the story in an even voice, but still it comes as a little stab, like everything else about Attica.

Two years after the rebellion, and while Hill was waiting trial, he thought back to his childhood and his time in prison, and talked about himself as a native man. He remembered those strong days in D-yard. Sometimes he spoke rapidly, sometimes slowly, but his eyes were always steady and dark and gleaming.

The McKay Commission, which was set up to investigate the Rebellion, said that the uprising began as a "spontaneous outburst of violent anger and was not planned or organized in advance."

"The Attica uprising was the product of frustrated hopes and unfulfilled expectations, after efforts to bring about meaningful change had failed," the report said."

(Thanks to Jon Lerner and to Liberation News Service.)

Contributions to sustain the legal defense of the Attica prisoners, and requests for information, speakers, and films may be sent to:

Attica Brothers Legal Defense Fund
c/o the Buffalo Challenger
1301 Fillmore Avenue
Buffalo, New York 14211

SAN QUENTIN INMATE INJURED AFTER BEING CHARGED WITH PRISON STABBING

San Quentin Prison, California – The Native Americar Defense Committee of San Francisco reports that William Titman, a 30-year-old Miwok/Pit River man, has been charged with stabbing another inmate, James Gregory, despite lack of evidence connecting him with the death.

Last Christmas Eve, guards entered Titman's cell, shot mace into his eyes. Titman put his face in the toilet to relieve the pain, when a guard fired a gas shell next to him. He was shackled and taken to a strip cell. His eyes were seriously injured and may be permanently impaired. He has been gassed twice since in his strip cell, a cage without toilet or water.

Titman has been on a lengthy hunger strike, along with other inmates protesting a system-wide lock-up, in an effort to bring to the public the inhuman conditions and systematic brutality of guards in certain units of the prison system of California.

Further information is available from the NAD at 3222 22nd St., San Francisco, telephone (415) 64: 7661.

A Voice From Down The Trail

I sit here within these prison walls and see many things out there in the free world. Perhaps I see much more than any one of you out there. Because I have time to look at things a little any one of you out there because I have time to look at things a little more closely. Many things that I see I do not like. Many of the things I hear angers my heart.

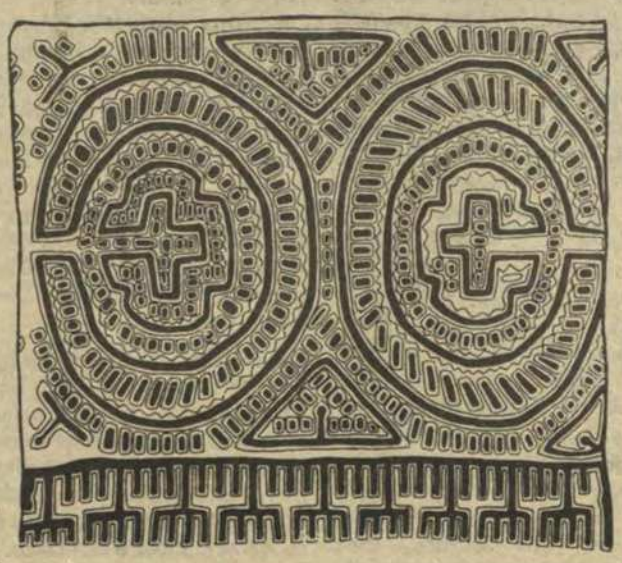
If you've been in prison, you don't want to hear what I'm about to say, because you've heard it before and there is nothing I can say that is different. Set the bottle down, lay down the joint, put away the spike, stop beating the little woman, and set your smart ass down. Stop feeling sorry for yourself and stop being such a weak chump. Or fill yourself with junk, be the coward the rest of the world thinks – or maybe knows – you are. And quit complaining and shut up.

What was an Indian? She knew how to take care of her children. They stood side by side in trouble times. Gave what little they had so that another would not feel the pains of hunger nor suffer the cold of winter. They spoke with truth and taught the real values of life to their children.

What is an Indian today? If he or she is still young, they are lost and confused. Living in a world of fantasy by taking drugs and boozing it up in some city bar or roadside tavern. Feeling self pity, crying over nothing, refusing to listen to the cries of those who are dying for them. Gaming on each other. Sitting in some corner sniffing glue. At time going off the handle and killing another sister or brother.

What is an Indian today? One who looks off into the blue, waiting for someone to show them the way – when all they have to do is take a close look at themselves for that help. But there are those, too, who cannot do that because they live in despair and loneliness, yet hunger for knowledge so that they may live with peace and understanding.

What is an Indian today? There are a few who fight for the Old, the Young, and those to come. They are the warriors of today. They stand and demand to be heard, and to have their rightful place in life.



Those of you who are drinking, smoking pot, popping pills, or shooting smack – kick back and trip on this. Whose pocket are you filling? Whose stomach are you making empty? Are you really concerned about your kinfolk?

You can look for a dim future. Those of us who took that wrong trail know. All you have to look forward to is guns looking down on you, degradation of every sort. And each day is spent looking over your back.

I am not an articulate person. I'm not a leader. I'm just a concerned person that went down the wrong trail as so many others have. I am an Indian who searches for a way home. I am an Indian who does not want to see another brother or sister land up in one of these places.

You ask in what way you can help us here. That is easy to answer. Go as the eagle goes. With nobility and grace. Speak what the old ones say. Let the young ones heed and learn through you. Hold together what is sacred to all Life.

– Ralph Franco
San Quentin Prison

"It Was Almost Like Life Itself"

(John Hill, a Mohawk, talks of his life, his imprisonment, and the Attica Rebellion.)

When I went to prison, I went from a hustling world, to a world of nothing but hustlers. I guess I was kind of young and naive as far as politics goes or understanding my culture — you know, understanding that I was an Indian. I was proud to be an Indian, but I was also hung up — I had to be just like the white culture. I had to fit right in there in order to make that money.

But after a while I dug myself in the joint. I kept asking myself what it was like to be an Indian. There was a spiritualness that entered me that I hadn't had before. I started studying all different Indian cultures. And the more I read about my ancestors, the more I felt like something was entering me. I was intensely proud to be of the Indian race.

And then I started to see the contradiction between what was once and what is now, and it started making me angry. The more I saw, the more angry I got, and the more I just wanted to return.

The system that we're living under now has got everybody so down and out — you just can't hardly do nothing without some form of law being over your head. Their *law, somebody I don't even* know, *puts something over my head and keeps all of us at the bottom. I had to find out what that was.*

In the prisons, there's really a minority of Indian brothers. Like the Indians in the joint make up a minority's minority. In Attica, before the riot, there was only seven of us, out of close to two thousand men in the whole prison.

So, Indians inside the joint seemed to have more of a solidarity with each other than the rest of the prisoners that grouped off. You could really dig the sincerity of the Indian brothers. No one could do anything to one Indian brother without having to deal with the rest of them. We tried to deal as one solid being. And then we had to learn not to keep it to ourselves — we had to learn to spread our solidarity among the blacks, the Puerto Ricans, all our brothers, the whites — because the whites that were in jail were oppressed, although we couldn't understand that at first.

One time this guard came up to me. I had my hands in my pockets, and he just hit my elbow with a stick and told me to get my hands out of my pockets. I told him, "I have my hands in my pockets and I'm going to keep them in my pockets, because this isn't bothering anybody." And I told him, "Next time you put that stick on me, you're going to deal." So he came back with the stick, and we got into a little scuffle, and they took me to the box — solitary confinement — and stripped me of everything I had. Then they beat me. Finally, they beat me into unconsciousness. I woke up and I didn't have nothing but a concrete floor, a little light out in front of the cell, and just a little 5-inch-by-five-inch hole to pass the bowl in to eat, twice a day. I did 183 days like that, in one stretch, more than half a year in solitary with no one to talk to. They try to break you, but I found a lot of ways in that 183 days to get into my own mind, to exercise, to keep my mind busy.

I didn't grow up on a reservation. I grew up in the city. I was two years old when my father died, and my mother could only go so far. She started drinking. When I was about five years old, the Child Welfare Department came and took me and my three sisters. It was like these foster homes they had for us — 9 foster homes, 15 different boys' institutions, and 7 prisons in 21 years.

But it seems to me now when I look back on it that that experience is something that is really beautiful — because I'm prepared to meet anything in the future. It's like I've been confronted with every kind of life right now, some experience in every department of life.

But sometimes I feel like I've been struggling an eternity, and I just want to leave it, to give up, go on to something else.

D-yard — the spirit was like something I never felt in my life. In the beginning, everybody was excited and confused, like mass paranoia, feeling like the pig was coming in soon, knowing that you'd have to be confronted with death. But then again, there was also a restfulness that actually the hostages were going to save any sort of confrontation between the state and the prisoners.

After a while, when the brothers started building the defense, the collectivity started forming. People didn't need no leaders in that yard. People started in that year. People started feeling what they had to do, what had to be done. This was it — this was everything you had talked about, everything that you had made hours of rap about. It wasn't about prison reform — it was just being able to live without the pig over your head, this structure they have that has everybody in mass confusion and paranoia and madness.

Everybody worked. Nobody wanted to just sit around. It was rapping, just sitting over the stove, that you had dug a hole in the same place that they told you not to throw cigarette butts — you had actually dug a hole and put some fire, some wood in there from a bench you had chopped up, and actually just sat there and made coffee at night with all that beautifulness in the air. People were just like so together and so close. Nobody was going to go unless somebody else went with you. You were going to fight together and go down together if that should be the thing. People were just so beautiful to each other.

I think about the most beautiful time in that yard — and truthfully speaking, scarey — was ten minutes before they came in. People were nervous, but so very much willing to go. They still had fear — I know for me I still had fear of losing my physical life, but yet I felt that peace, like it would help me gain a real beautiful spirituality for my future lives.

I was shot, twice in the leg and once in the head. I saw in my mind a very dark deep black, with nothing but an orange glow surfacing from the bottom. I was falling into this, constantly falling, and it was such a peacefulness that I had reached another level of spirituality. I actually saw that I was going to die. I figured that I had given my life for what I believed in. I figured I was almost dead, but I wasn't. I opened my eyes.

And after that, gas was on my face. When I woke up, this cool rain, this cool little drizzle, was going against my face, against that gas. I had forgotten where I was for a second there, I had felt so peaceful. And then the butt of a rifle hit me in the nose, and it broke me out of that beautifulness.

After that, it was nothing but beatings. All they wanted to do was beat. All they wanted to do was kill. All they wanted was blood. Then the grief, the shock — how many people had died, how many people I saw dead, how many people whose brains I seen blown out, testicles blown off, blood just gushing out of their bodies. The agony on some of the brothers' faces, the peacefulness in others. So many contrasts — it was almost like life itself.

(Thanks to Jonny Lerner, a free-lance writer and supporter of AKWESASNE NOTES, for this special article.)

U.S. Bureau of Prisons Statement of Philosophy Regarding Minorities

It is the philosophy of the Bureau of Prisons to encourage activities that instill a sense of pride in the individual regarding his race and culture. With a sense of pride in a culture comes a better self-image of the individual toward his role in society. The thrust is to re-direct the offender's attitudes and perceptions of himself into a cultural channel that provides an environment in which he can portray his own positive feelings and contributions.

Vancouver British Columbia — A proposal for more Indian court workers to cut down on the number of Indians sent to jail has been sent to Provincial Premier Dave Barrett.

The proposal, together with a plan for a province-wide alcohol and drug counselling service and prisoner rehabilitation program, was made by the Native Courtworkers' Association of British Columbia.

The seven member association says Indians account for 18% of the provincial jail population, while comprising 2.5 per cent of the total population.

In areas were language problems are encountered, the figures are higher. In Prince George, 33% of jail inmates are Indians.

"The court worker fluent in Indian languages would be an invaluable aid in promoting fair treatment for Indian people not speaking English," the report says. "It has often been found that the Indian, when charged, is not represented in court . . . and is often confused as to just what he has been charged with and why . . . As a result, he pleads guilty and is fined or sentenced to jail, when perhaps a good defense could have been made for his actions . . ."

The association also says Indians in B.C. have three times the suicide rate of non-Indians, four times the accidental death rate, and 30 times the homicide rate.

"A large proportion of Indians (71% compared with 32% of non-Indians) were considered to be drinking to some extent before they died, and 57% of those who died accidentally were considered heavily impaired in contrast to 16% of non-Indians," the report says. "While 34% of non-Indians were at least slightly under the influence of alcohol when they died by either accidents, suicide or homicide, 66% of Indians who died by accident, 83% of those who died by suicide, and 100% of the homicide cases had been drinking before their deaths." *(Canadian Press).*

San Pedro, California — Native peoples at the Federal Correctional Institution at Terminal Island here have established a chapter of the Brotherhood of American Indians, Inc. and are wishing to establish working relations with tribal groups. They have 30 members from 14 Nations, and can be reached by writing the institution. Terminal Island. San Pedro. California.

Deer Lodge, Montana — The North American Indian League, an organization of native prisoners at the Montana State Prison here, is seeking legal help to keep inmates from being fed foods contaminated with heavy-metal effluents from the Anaconda Copper Mine smelter 18 miles upwind.

State biologists report that animals in the area have such high levels of such metals of cadmium in their systems that their life-spans are cut in half. Prisoners are fed meat raised in Deer Lodge Valley, as are residents of the state hospital, state institution, and state sanitarium.

NAIL members are asking that a new prison now planned be relocated to a clean and viable environment. Contact Kenneth Gingras, NAIL chairman, Box 7, Deer Lodge, Montana, for further information and ways to help.

RACISM *

KIT CARSON: TOURIST-RACISM HIT BY NATIVE PEOPLE OF NEW MEXICO

Taos, New Mexico – The People of Taos Pueblo have renewed their 19th century feelings toward Kit Carson, the legendary figure in the romanticized Old West. This time they are directing their fight against American racism instead of Kit himself.

A coalition of native people, including Chicanos, and mostly members of the Taos GI Forum, is demanding that Kit Carson Memorial State Park in the northern New Mexico town where Carson had his home, be renamed for an Indian who died in World War II. They say that there was no difference in Carson's treatment of the Navajos and the infamous massacre at My Lai during the Vietnam War. Carson, they say, was a "tramp."

The New Mexico Cultural Properties Review Committee opposes the name change.

"Though some would condemn him for his brief career with the Army and his actions under orders, the same type of criticism, some day, might be directed against veterans of our wars of recent years," the committee said in a formal resolution.

– Seers Catalogue

A state law to make the name change will be introduced in the New Mexico legislature early in 1974 by State Rep. Samuel F. Vigil. The bill would rename the park in honor of Santiago Lujan, a Taos Pueblo man who was an army sergeant in World War II.

The Taos protest group has had trouble in even getting its viewpoint across. It tried to hold a rally in the town square – but that had to be abandoned because a required permit from the city council could not be obtained. Then, it entered a float in the traditional Taos Fiesta which was totally snubbed by the Fiesta Committee. The Pueblo float included Sergeant Lujan's daughter and other relatives and was sponsored by the G.I. Forum.

The Carson myth goes deeper than the state park. In Taos, where Carson spent his declining years and where his body is buried, the streets, institutions, and business establishments bear his name.

Perhaps worst of all is the Kit Carson Council of the Boy Scouts, which covers a large land area, and includes in its membership nearby reservations. Thus 25% of the council's boys are Navajos, enrolled in an organization bearing the name of the man who killed their ancestors.

The average tourist in New Mexico stops occasionally at roadside rest areas to snap a few pictures of the family in front of the quaint historic markers erected at roadsides. The text on the markers gives a picture of a real hero, one who has been elevated to a "Kit Carson slept here" sense of historical importance.

At Kit Carson's Cave east of Gallup, for instance, tourists read: "While scouting for the Army in its campaign against the Navajo in 1864, . . . Carson camped in this vast sandstone cave. It offered a good vantage point, protection, and spring water."

On the Kit Carson Highway Marker, there is this text:

"Kit Carson, foremost of New Mexico's frontiersmen, was a frequent traveler on this route between Taos and Santa Fe during his long career as hunter, trapper, scout, Indian fighter and Indian agent."

Or take the marker commemorating the city of Taos:

"Famous men such as Kit Carson headquartered here. . . . (His) home may be visited here today. He is buried in Kit Carson Memorial State Park."

There are many more scattered about. But one more example:

At Fort Sumner, New Mexico is this text: "Here the war-like Navajo and Apache Indians were brought during the round-up by Kit Carson early in the 1860s."

The Taos group wants to change the name of Kit Carson State Park to the "Santiago 'Jimmy' Lujan Memorial Park." Lujan was a Taos Pueblo man who died in World War II. Apparently they have quite a job ahead of them, for New Mexico seems to have great faith in the power of Carson's name to attract tourists, and to educate more generations of New Mexico youth, native and non-native alike, in the superiority of the culture Carson represented.

The highway marker program is financed by the state Highway Commission, and the "Department of Development" is responsible for the research and writing of the texts. Its treatment of Kit Carson is only one tragic travesty committed by the state government against New Mexico's native people – the markers are often inaccurate, but always biased against Indians if not blatantly racist.

Indians are murderers and thieves, hostile and war-like while white men, including Spaniards, emerge as the true folk-heroes. "Bringing the Indian in New Mexico to final submission" is the central theme of the marker program's minicourses in American history.

At Tucumcari, a marker reads: "Ranchers in the area were subject to Indian raids until 1874, when the U.S. Cavalry finally subdued the Comanches and moved them to a reservation in Oklahoma." Five miles away is another marking the trail where "Federal soldiers . . . rounded up many hostile Indians . . . and started them down the 'Long Walk' trail to camps at Bosque Redondo, 80 miles to the south."

The Rio Grande Canyon is where "the forces of Don Diego de Vargas defeated the Taos Pueblo in 1696."

At St. Michael's College in Santa Fe, "De Vargas took the city in a bloodless reconquest in 1692, an event celebrated annually by the Santa Fe Fiesta."

According to the markers, New Mexico's Indians didn't fight fair, either. Pity the poor soldiers and settlers.

At Cumbress Pass, "'Old Bill' Williams, famous Taos Indian Scout, was wounded while fighting the Utes, who had adopted him as a tribesman." At Starvation Peak, "Indians pursued 120 colonists to the top of the peak, and laid siege until all starved." In Las Cruces, "Indians once massacred an oxcart caravan of Spanish travelers near here." At Loving, there is a marker where "Oliver Loving was fatally wounded in a running fight with Comanche Indians. Despite his wound Loving and 'One Arm' Bill Wilson stood off the attack for three days and nights."

White settlers killed by Indians, no matter how insignificant, are venerated by the markers. "McComas Massacre" is the title to a marker at the spot where Judge and Mrs. H.C. McComas were "slain by a raiding band of Comanches. Fate of McComas' six-year-old son, taken into captivity by the Indians, is still unknown," the marker says.

'Rabbit Ear Mountain' is a spot of historical importance because "a young trader named McNees" was killed there in 1828 and 'Apache Battleground' near Mayhill is where "Captain Henry Stanton lost his life."

The Indians are the real renegades. Rodey, New Mexico, south of Hatch, goes down in history because "Apache Chief Victorio stole horses here."

But lest tourists worry about Indians on the warpath and have their vacations spoiled, they are reassured by not one but two markers that the Mescalero Apaches "are now a friendly people living much as they did centuries ago."

In *Bury My Heart at Wounded Knee,* Dee Brown notes that at the same time the culture of the native peoples was being destroyed, "out of that time came virtually all the great myths of the American West – tales of fur traders, mountain men, gunmen, cavalry men, schoolmarms and homesteaders. . . The Indian was the dark menace of the myths."

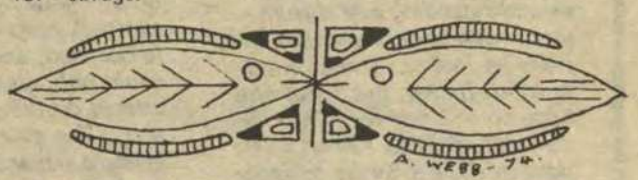
Brown was talking about the kind of recorded "history" which prompted the Memorial in the town square of Santa Fe. "To the heroes who have fallen in the various battles with savage Indians in the territories of New Mexico."

So, the name of Kit Carson lives on. He was a man liked and trusted by the Navajos before the end of the Civil War. But, caught up in the dream of Manifest Destiny, Carson stayed in the U.S. Army after the war to turn against his friends and "round-up" the native people of "New Mexico." He had his own way of conquering the people – steady destruction of crops and livestock and winter food supplies. Starvation was his ally.

"Kit Carson State Park – established in memory of the Frontiersman, Trapper, and Indian Scout buried here. Dedicated to wholesome recreation for all."

* * * * * * * * *

How the people of New Mexico react to objections to the racism in their midst is also of interest When the American Indian Movement objected to the use of the word "savage" on the 33-foot monument in Santa Fe, Governor Bruce King suggested substituting "fierce" for "savage."



"That's playing with history," objected State Cultural Properties Review Committee chairman Albert Schroeder.

State Historian Myra Ellen Jenkins termed the substitution as the "most ridiculous thing I've ever heard." *Time* magazine reported one local humorist suggested placing a fig leaf over the word "savage". Someone else proposed a second monument dedicated to the "gallant Indians who died fighting for their homeland."

The head of the Santa Fe historical society said that to remove the word 'savage' from American history "would involve a book-burning spree equal to Hitler's."

The whole argument was settled August 8 when an unknown young man, wearing a hard-hat, strode up to the monument with a hammer and chisel. The word "savage" was soon stone-chips at his feet.

(Thanks to L.A. Lane of Seer's Catalogue, an alternate newspaper in Albuquerque, New Mexico, from whose original article this piece was adapted.

NOTES ON RACISM TODAY

Often racism, once written, escapes unnoticed – a deadly poison seeping into the mental attitudes of readers. In the visitor center of the U.S. Forest Service's Juniper Springs recreation area in Florida, there was a plaque with the poem containing the lines, "The Indian and the tiger lurk here no more . . ." The verse was noted by a travelling AKWESASNE NOTES crew, who wrote the district ranger. Back came a friendly reply from Walter A. Guerrero, the officer in charge, and the offending plaque was enclosed – "You know, I have read the colorful writing on this plaque many times, never detecting the racial slur you so congenially pointed out. Thank you for adding to our understanding," Guerrero wrote from his Ocala, Florida, office. We appreciate such direct action, and we are grateful to him for his concern.

Jack and Jill, **a children's magazine, is also to be commended – it submitted to AKWESASNE NOTES a play which it felt was "cute", and "one that wouldn't give a bad impression of the American Indian." But editor William Wagner was smart enough to recognize that was perhaps a one-sided viewpoint, and he wanted opinions. Frankly, we didn't like the play and we said so – but we wish more publishers would be as considerate in checking things out with native people before heading to the presses.**

Rath Packing Company is still at it with their cute little weiner Indians decorating their packages. Each weiner is appropriately dressed with a Y Indian-guide type feather and headdress. Write Rath Packing Co., Waterloo, Iowa 50704 to ask for a sample if you haven't been offended already.

Honolulu, Hawaii – Remember the liquor company that made its bottles in the shape of Hopi katchinas? Well, a near relative, Jim Beam Distilling Company, recently aroused the anger of a Hawaiian group because of a decanter depicting a revered leader of the Hawaiian people.

"We're sorry it offended anyone," said Charles Wittwer, vice-president of the distilling company. "But our intent was the highest. We're proud of the bottle." Just the same, his company agreed to donate $3,000 to a scholarship fund after the Congress of the Hawaiian People objected to the bottle in the form of Kamehameha I.

The Congress asked the distillers to stop sale of the decanters, but was told all 12,000 already had been distributed.

"The very thing we're angry about is the commercialism," said Sidney Leong, public relations chairman of the Congress. "This is the man who united Hawaii and we really revere him."

Wittwer said, however, the donation should not be construed as a makeup for something that was wrong. *(AP)*

EDUCATION

NOTICE
Window Rock Public School
District No. 8
Under New Management

No sign with those words hangs on the school yard gates, but one would be appropriate. Since fall, 1972, the district has gained a completely new school board, a new superintendent, four new school principals, and a new outlook.

The changes came in the span of less than a year, but it took student walkouts, community protest, recall elections for school board members, and organization by teachers to initiate the changes.

—Everett Soop/Kainai News

Pat Graham, the district's new bilingual-bicultural curriculum specialist, says the revolt against the old administration and trustees was "a culmination of factors." One factor, Graham says, was "the growing concern of Navajo people for self-determination." Another was that teachers, many of whom had been wanting changes for years, finally organized to press for their own and student interests. A third important factor was student demand for Indian and Navajo studies, something the old administration apparently opposed. Also, the time for change seemed right.

"I think every school on the reservation had a walkout last year," Graham comments.

One man who seems to have brightened the outlook for the future of the school district is Dr. Kenneth Ross, the new superintendent. A Sioux from Flandreau, South Dakota, Ross recently completed his Ph.D. in educational administration at the University of Minnesota. Ross is no stranger to the southwest: in addition to teaching at Fort Wingate, he obtained his master's degree from Northern Arizona University. His wife, Lucille, is a Navajo.

Window Rock School District has an enrollment of about 2,500 students, 95% of them Navajo. It covers the five chapters of Red Lake, Sawmill, Fort Defiance, St. Michaels, and Oak Springs. The four schools – three at Fort Defiance, and one at Window Rock, educate about two-thirds of the students in the district. The other third attend boarding schools.

Window Rock schools appear rich in facilities and modern equipment, but not one spare classroom is available at present. And if the Intermountain Boarding School is phased out as planned by the BIA, administrators wonder how the district will provide for the students coming back.

Special education, bicultural instruction, and more Navajo teachers seem to be chief concerns of district administrators. The new administration is trying to integrate special-ed students back into regular classrooms.

The superintendent also expressed doubts about screening instruments used to determine whether a student has a learning handicap or disability. Sometimes a student is placed in a special-ed class because he has a linguistic problem instead of a learning disability, Ross explains. Conversely, other students who needed special help did not receive it because teachers thought the language barrier was hampering their performance.

"Those people aren't going to live in segregated communities of special-ed students when they leave school," Ross states.

Ross sees the need for Navajo language and culture classes on several levels. One level is utilization. Although Window Rock probably has more students competent in English than any other reservation area, "We do have students who come in speaking only Navajo."

Owing to the usage of Navajo in community affairs, Navajo-speaking students should be more competent in the language. It would also be advantageous for non-Navajo-speaking students to learn the tongue.

At another level, the conservation of Navajo language and values is seen by administrators and school board members as an important psychological aspect of bicultural instruction.

Beginning in the fall, the district will offer a Navajo language program from kindergarten to twelfth grade, Graham says, although "it won't be as complete as we'd like." The problems the district has encountered in developing Navajo language and culture courses are mainly in two areas: teachers and materials.

Certified Navajo teachers qualified to teach Navajo language do exist, but most are earning more money teaching at higher levels or working as administrators. Other Navajos are qualified to teach, but lack the college necessary for Arizona teacher certification. On top of that, Arizona law has no mechanism to grant certification in Navajo language or Indian culture or studies, Ross adds.

The district budgets four thousand dollars a year for student psychiatric assistance, but the decision was made to use half that amount for students who really needed Navajo medicine men for psychiatric help.

Sometimes a student is burdened by a problem: continuing bad dreams or recurring spiritual fears related to the way Navajos view the world," Dean Jackson, a Navajo counselor explains. A real need must exist before help from a medicine man is sought. A five-member committee makes the decision.

Whatever the problems, it seems, the Window Rock Public School District No. 8 is looking ahead, and challenging the difficulties confronting the area and the Navajo Nation.

THE UNIVERSITY: A CONTRIBUTOR TO AMERICA'S RACISM

[Larry Emerson gathered some observations made by Native American students at the University of New Mexico. This is an excerpt of his column, "Red Dawn,", which appeared in the university newspaper, The Daily Lobo.)

The UNM Kiva Club, an organization open to all students but currently with almost 100 percent Native American membership, was asked by some person to dance "some Indian dances" at the grand opening "ceremonies" of the new Albuquerque Convention Center. What is there to dance about? Slabs of concrete and strips of steel?

A fraternity white man came to the Native American Studies Center to ask for an Indian "hasher" to wait on tables for a free meal. . . One student commented, "I wonder if he would dare go to the Black Studies Center and ask the same thing?"

Some UNM history professors still persist in this day and age in "professing" to students that Columbus discovered America. And why does American History always start with "The New World"?

Courses in American history or courses in almost anything are really imports from ye-goode-ole Europe. Courses bathe in whiteness. . . we still find ourselves getting our education from this solid, unbent, untouchable – and imported – education system.

Funny terms overheard in 1972 UNM classrooms: "primitive culture." "levels of civilization," "unsopnisticated society," "simple people." Who can understand with us why these terms are funny?

A textbook used by UNM unashamedly tells its readers:

> *"Without Indians, American history would have lacked much of its special color and drama . . . Yet one of the Indians' greatest influences on American civilization was negative, rather than positive. Despite their kindly aid to the first European arrivals, the Indians became an obstacle to the advance of white settlement, and life on the frontier derived many of its peculiarly 'American' qualities from Indian danger and Indian wars."*

It hurts me to read some crazed history book which tells me that what my people have lived and died for after thousands and thousands of years of oneness with plants, animals, man and the universe was "negative rather than positive."

> *"The white man, when he arrived in America, had much to learn from the Indian, but the Indian had far more to learn from the white man. Even the most brilliant of the native cultures, such as the Mayan, were stunted in comparison with the growing civilization of Europe. . ."*

– Tony / Seer's Catalogue photo
Two students exit the Albuquerque Indian School grounds.

WELCOME TO THE NEW, CLEAN, IMPROVED NATIVE EDUCATION!

Good afternoon, children. This year, we are going to have a whole new course in American History. I am sure you will all enjoy it. We are going to take a new look at Indians, I mean, Native Americans. As you can see, all terms like "savage", "squaw," "firewater" have been cut out of your textbooks. We realize that this may make reading a little difficult due to the holes, but it is a step in the right direction . . .

. . . now Indians, I mean American Indian natives, came across the Bering Straits . . .

. . . although we're not sure who said: "The only good Indian is a dead Indian" we all know that's not true, or you all wouldn't be here now, would you? . . .

. . . & some Amerinds have stood up for their rights. Rights given to them by the United States of America. The right to sell and lease land, the right to industry and anti-pollution devices, the right to educate their children as curriculum & BIA funds demand, the right to administer the laws of the government upon themselves; the right to attend and donate to the church of their choice & you children know that there are many churches to choose from on reservations . . .

Wounded Knee? Yes, we all learned something from that little incident. We should always ask, "May I . . ."

. . . & to show there were no hard feelings, in 1924, our government made all Indian Native Americans citizens of these United States.

Here is some vocabulary you'll have to know for the course: citizen, patriotic, beadwork, self-administration, cancer, anthropologist, proud, welfare, termination, genocide . . .

. . . here are some new books for you. As you can see, it's written in your own language. We're sorry that we didn't let you speak it before, but now we have a class where you can learn it again! The class meets once a month in the parking lot, and a grant for native Indian education enabled us to buy a canvas cover in case it rains. You will have an accredited teacher – in fact, he is the professor who wrote this book – his grandfather taught him the language after learning it from the old people of your tribe who were too weak to make the Trail of Relocation many moons ago. The professor is a famous expert on Indian Natives & still lives where your tribe did. His hobbies are digging and writing. He'll be flying here in his personal jet. Now, repeat after me, in English first: "Look, look at the spotted dog play, whooped Jack Running Bear. Yes, look, look, spotted dog is playing in the soup! whooped Jill White Bird . . .

then everyone lived happily ever after.

– karoniaktatie

THE EFFECTS OF COLONIALISM ON INDIAN LIFE

(The Johnson-O'Malley Act (1934) gave the U.S. Bureau of Indian Affairs the authority to contract with states and political entities within states for the education of Indian children. Up until 1958, the majority of JOM funds were used to compensate states and local school districts for the loss of revenue due to large tracts of tax-exempt Indian land. In 1958, Public Law 874 was enacted which paid the taxes on all federal and trust lands to the states and school districts. From this time on, the JOM money coming into a state and consequently to a school district was to be used to meet special needs of the Indian children within that school -- not to provide a basis for raising the revenue for educating the general student body.

Oklahoma native peoples have been charging that superintendents and principals obviously misunderstood, were misinformed, or have totally disregarded the true intent of the JOM Act. Documentation of the misuse of funds was done by a native group. The group also attempted to explain the underlying causes of the problem -- the whole colonial system applied to native peoples. Excerpts from the report are reprinted here because of their lucid explanation of the native political situation.)

(The Oklahoma Outrage chronicled in this report is clear: federal funds appropriated for the education of Indian children are systematically misspent.

The documentation is irrefutable. Money, intended by law exclusively for the education of Indian children under the provisions of the Johnson-O'Malley Act, is routinely channeled into general education budgets by local officials with the passive acquiescence of the Bureau of Indian Affairs. BIA approval of JOM state plans is tantamount to a license to steal -- or at least to cash in on Indian kids.

It is more than a local scandal, though. It is an example, repeated in other states and with other programs, of why an essentially colonial system can not meet the needs of the people it purports to serve. It isn't intended to.

The politics of state education is so intertwined with BIA bureaucratic intimidation that programs such as the Johnson-O'Malley Act -- good-hearted liberal programs, money for Indian education -- are inevitably distorted, and inevitably end up serving the white community.

The final lesson from this report is that the situation will never really improve so long as the colonial system is maintained, so long as the programs are dictated by BIA and appointees to powerless advisory councils. The programs will be responsive to Indian needs only when they are controlled by the Indian community.

The illegal use of JOM money in Oklahoma was one of the issues named during the occupation of the BIA headquarters in Washington, D.C., in November, 1972. The issue was buried under the debris of press statements about dollars and damages -- not responses to rectify the problems.

The BIA could take steps to enforce proper use of JOM funds, but in the end, as these abuses in Oklahoma show, abuses will continue until the people affected control the programs and the programs stop controlling the people.)

-- Barbara Bode, President
The Children's Foundation

"A License to Steal"

Johnson-O'Malley funds are entrusted to the white man's legal and educational systems. The embezzlement that this entrustment produces ("embezzlement: to appropriate fraudulently to one's own use . . . money or property entrusted to one's care) can be seen in examining Oklahoma's JOM evaluation sheets.

The JOM Act itself states that contracts may be entered into with the authorities of any state "for the education of Indian children of one-fourth or more degree Indian blood . . ." It is a weak law, but that does not make it legal for the state to spend JOM funds on the general student body . . .

Oklahoma has "Indian Advisory Boards" supposedly to represent Indian interests. They look good on paper, but they are powerless. Here is the authority those advisory boards now have (prior to 1972, they had none):

In 1972, the Commissioner of Indian Affairs, Louis Bruce, sent a directive from the BIA saying that a school's JOM budget could not be approved unless signed by the Indian Advisory Board. The advisory board still has no power to hire, fire, or control programs funded by JOM. In many cases, they are told to sign the budget requests, or their school will lose its JOM funds and their kids won't be able to go to school. In the majority of cases, when the Indian communities want information about JOM from their BIA area offices, they are shuffled from one place to another until they lose interest. Those persisting are labeled as troublemakers. In all the shuffling, the Freedom of Information Act is violated -- this act states that anyone seeking information about federal or public programs must be given that information on paper.

We find that the state of Oklahoma is spending in 1973 an estimated $2.4-million of its $2.5 million JOM funds on general student needs [-- not on the special needs of Indian students as the Act specifies.] This amount is just for one year. It must be noted that Oklahoma has been receiving JOM money for 36 years. Consequently, the total Oklahoma rip-off of JOM alone has been astronomical.

. . . Indian parents are not allowed to make decisions concerning the academic curriculum that their children must confront. They have no authority in the hiring and firing of the personnel working with their children, they have no say in the dress codes that their children must obey. They have no say in their children's education -- yet they are paying for that voice through the JOM Act. Instead, they must watch schools receiving JOM funds kick their sons out of school for wearing their hair long. They must watch their sons and daughters not be allowed to graduate because they owe a few dollars in school fees, or they must let the school hire a counselor for the student body while their needs are Indian studies classes. The violations are gross and seemingly endless.

A "Bilingual Classroom in Tuba City, Arizona. It's Navajo in kindergarten, Navajo and English in first grade, and English almost exclusively in second. Is this respect for native language, or greasing the track to assimilation?

-- photo by Henning Christoph

Whites have school boards for their needs, and we have parent advisory boards with no authority, and these advisory boards must advise whites as to what Indian needs are.

Historically, this is a contradiction for whites have never taken advice from Indians, and second, they will rip-off our funds because we have no authority to hold them accountable.

. . . The truth remains that the embezzling of funds and deliberate ineffectiveness of programs is happening and can only be blamed on the whites. They are the school officials that misspend the JOM funds. They are the legal system that allows the misuse of Indian funds. They are the bureaucrats that approve illegal contracts for JOM. They are the ones that exclude Indian parents from practicing their human rights of controlling our own destinies. They are ones of Manifest Destiny illusions. They make all the decisions. This is evident in that if Indians were controlling the funds and programs, we wouldn't be giving our money to white kids while our children are being robbed in the school system.

Whatever the cost of damage to BIA headquarters, it does not equal the cost to Indians of the official embezzlement of Johnson-O'Malley funds each year.

Education: Indian "Removal"

The U.S. Government has set-up commissions to study and find out the reasons why the average educational level for the Indian peoples is 5.5 years. They have spent much time and money on the "problem" and the only conclusion they have come up with is that we have a high drop-out rate.

First, we must point out that the conditions under which Indian education was set up were less than ideal for us. The educational policy was determined about 1870, along with a whole set of other policies affecting Indian people. At this time, it was decided that the most effective way to put an end to the threat we posed was to break the Indian peoples: divide the nations, the tribes, he families, and the religions. One of the best ways to do this was to build boarding schools and take the young from their parents in the name of education.

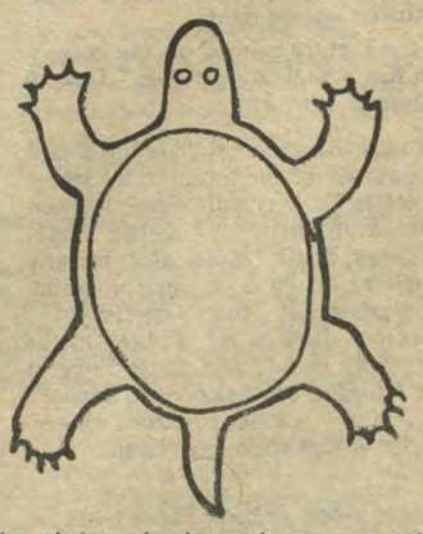
The first BIA boarding school was in Carlisle, Pennsylvania, at the Carlisle Indian School. In the beginning, there were documented cases of families having their treaty rations of food with held from them until they would send their sons and daughters to these schools.

The primary purpose was to "civilize" the young Indian, not to educate in any way. That was a hundred years ago and not much has changed. All the schools for Indians are ruled under a rigid structure. This structure is there to maintain discipline and order. The values of Indian people are not stressed -- just the white military procedure. The rules and point systems of the BIA schools are tools used to divide and oppress students and employees while totally neglecting the issue of Indian rights as students, employees, parents, tribal governments, etc.

The BIA has used these rules to avoid Indian-defined education. The students and employees are so harrassed by these rules that the Bureau does not have to supply answers about its total failure to represent Indian peoples and its support of the American racism. The government-funded schools -- public, BIA, and mission -- are set up to stifle the culture of the Indian people (genocide) and to turn Indians into the white mainstream as workers.

Leadership -- with the potential of going back to the reservations and now also to the urban areas to build with our own people -- is at all times ruthlessly quelled. The BIA agency superintendents, public school personnel, and priests speak of the importance of Indians getting educated in order to help their own -- but while speaking the words they are so busy protecting their own self-interests (that GS-12 rating, that JOM funding program, or saving another soul for that white man in the sky) that they do nothing to change the regulated school system that not only does not educate, but seeks to destroy the young Indian people.

We are still being used by the white elements of society that we have contact with. Instead of schools stressing the importance for Indians to learn trades such as mechanics, barbers, dental assistants, etc., there should be stress on a means of obtaining an education relevant to all Indian community needs. Learning a trade is nothing but slavery, physical and mental, for Indians don't own garages, construction companies, etc. In order to survive, we must get jobs working for peasant wages for a white man, or for a corporation, that takes all the profit and puts none of it back into the reservations or urban areas where we live. At all times we are kept dependent on the white man's economic system for survival at poverty levels.



The mission schools aren't as concerned with education as they are with making the young Indian into a person who believes in their God, can say the Hail Marys, knows that Mary was a virgin and that Jesus died for our sins. And most importantly -- to turn the other cheek because heaven is waiting for him after he dies so what the white man does to the Indian on earth isn't important. If the fathers, priests, and nuns were concerned with education, they would realize that we have our own religions, that our problems don't stem

from the use of religion. Then there never would have been beatings for bed-wetting, speaking the native languages – for being Indian.

The BIA, mission, and public schools have millions of dollars allocated for Indian schooling, and they make sure their respective budgets spend these amounts – that is the closest they have come to education. The schools which educate us are governed by whites, not Indians, and all the flowery rhetoric in the political system hasn't changed that

The young Indian going to school for the first time would have a great service done him if he were openly told: "You are an Indian, and this is white education and we think that you are inferior. Therefore, you must conform because we are going to be your masters – even if it kills you." He shouldn't be told that he is being educated. Take the young reservation Indian who is raised to know his tongue, his tribal ways – he knows that you must share and cooperate. His people have always known that this is a necessary part of being a whole person. When he goes to school, first he is told by his white teacher he must know English, and from that point on, emphasis is placed on learning the foreign tongue and on forgetting his mother language. He is told that he must compete and not share his knowledge. Those two steps alone tell him: forget your people – they are wrong.

Indian students must take the great American lie and be fed forceful helpings every school day: American History. They learn of George Washington, Thomas Jefferson, Honest Abe (who was homely and beautiful), George Custer, John Kennedy, the U.S. Constitution, the Bill of Rights – that's the freedom their history stands for. What did any of these people and things do to benefit Indian people? Before they were here to learn about, we were free! We controlled the destiny of our lives. While we must learn of your white leaders and papers, we learn that Indians contributed good in the way of potatoes, corn and squash – other than that all we did was scalp, wage war, hurt children, and in general, act as savages against the civilized white man. What of our people: Joseph, Handsome Lake, Keokuk, Captain Jack, Wovoka, Geronimo (who was ugly and savage), and Crazy Horse! What of our people who tried to trust the whites, our people who cared about what they were doing to the Indian, our people who suffered the diseased blankets, the bounty on our hair, the raping of our women, the stealing of our sons and daughters, and the land.

Indian education should be Indian education and not white propaganda. What can one say of a race of people who would permit and condone the use of education as warfare against young children? Maybe the white man can begin to get an idea of why we have a high drop-out rate, alcoholism rate, and suicide rate – why we don't want to be "civilized." We don't want the Great Spirit to forget us, nor we him.

"THE INDIAN PROBLEM"

Indian people have only one problem and he is white.

We've been told by this white man that we have a "plight" that consists of a drinking problem, a poverty problem, a suicide problem, etc. But he is just running a game on us so that we'll look at the problem as being ourselves, not at him where we should be looking.

Whites use a term like "plight" and cop out on the real issue which is injustice.

"Plight is defined as a condition or situation of difficulty or adversity. Injustice is defined as: lack of justice, a wrong, a violation of a person's (people's) rights.

We have lived injustice. We have had our rights suppressed. We have no plight caused by drinking – we have drinking caused by injustice. We have no plight caused by poverty – we have poverty caused by injustice. We have no plight caused by suicide – we have suicide caused by injustice. We have injustice because of [the behavior] of whites.

It is white government that has taken control of our lives. It is a government whose founding fathers were racist. It was never meant to represent us. It is chartered with a Declaration of Independence that excludes us. In Article I and Section 2 of the Constitution, we are once again excluded. The government has added Amendments XIII, XIV, XVI, and the civil rights legislation of the 1960s, but Indians are still excluded from representation in this government.

In Article I of the Constitution, we were excluded by being denied the right to vote. Thus while we were strong nations, we could have no representation to defend our interests. [It was intended that we would continue to be free in our own nations.] We had the people, but no voice. The Citizenship Act of 1924 gave us all the right to vote, to enlist or be drafted, and then the Civil Rights Acts of the 1960s added some more rules, but the end result is still the same – no representation in this government [and now no freedom in our own lands.] We cannot elect representatives to national government to protect our interests [and our own governments are not recognized.] So still we have no voice. If we have no voice, we have no control. Having to vote for a white politician who will sell out our rights for his self-interests is not having a voice.

All of our land is in the jurisdiction of the Federal Government through the Department of Interior, yet we cannot elect an Indian to be Secretary of Interior to protect our interests – we must depend on a white political appointee to protect our lands. These appointees create advisory boards of Indians for consultation and advice, but these boards have no power or authority.

Some land is saved – Blue Lake for example – but land the Government really wants is taken – Alaska, Black Mesa – so we are still losing more than we are saving, when we shouldn't be losing any. The current administrators always make the final decisions.

The white man has made much ado about democracy and representation and other things of "great American tradition," but he has only fooled other whites with it. When the Taos Pueblo was trying to get Blue Lake back, there was much liberalism in the Congress with senators and congressmen bustling about trying to save the Indians' land. The Taos elders had to travel to Washington to ask for their land back. After much publicity and congressional vote, the Taos Pueblo got their land back – democracy in action. With the strip-mining plant at Black Mesa and with the oil land in Alaska, we also had democracy in action. These two we are losing or have lost.

The one obvious similarity in these issues is that we had no voice in the final decision, and it is our land. In all cases, whites voted and met and caucussed and we waited for their decision. They put on a great show about right and wrong and humanitarianism – then went right on and stole land outright by a forced settlement method with their posted regulations. They practiced democracy on the Indians, and yet they say that they practice freedom.

They have assumed the power of making our decisions. If there was any debate about any land coming or going, it should have been within the tribe without any outside interference from anyone else.

They speak of the "democratic way" and bringing "government" to the tribes. Now we have tribal elections where we elect our representatives to deal for us – but all tribal charters and constitutions must receive BIA approval. Representatives can only serve after meeting BIA requirements.

We have tribal police and white-structured education in the boarding schools, mission schools, and public schools – yet none of these can function to meet true Indian interest because there is always a white-imposed rule. We cannot have schools without their American history – that is an educational requirement, one that is detrimental to Indian people. Our schools must meet their requirements.

Our police cannot arrest a white man for killing an Indian and put him in our jail and try him by our tribal juries – but whites can arrest and judge our people. Our police can enforce only white laws, and our tribal leaders must deal with the white man's elected/appointee bureaucracy which always avoids listening to our representation, all the time making silly statements about "maximal Indian quality" and "we're giving the Alaskan Natives 40-million acres of land and a billion dollars," never mentioning the fact that they're taking 200-million acres and all the oil.

We have organizations for lobbying, but every one is chartered by white rules, from Robert's Rules of Order to the functions of each office. They are trying to keep us busy being confined by their definitions and their rules.

Where do freedom and people's rights fit into all this? They talk about our plight and try to soothe with promises of understanding.

We don't want to talk plight – we want our rights. That means we want action on what we need, not their idea of what we need.

"We have no 'plight' caused by drinking – we have drinking caused by injustice. We have no plight caused by poverty – we have poverty caused by injustice. And we have injustice because of the behavior of whites."

But this the white man can't understand. He has been captured so long that it is beyond his comprehension. It's not time to talk plight – it's time to talk about injustice – poor housing, land theft, racist education. These are issues we want corrected our way, under our control, with no interference. Any whites that will not listen to our truths never were really listening at all.

When we speak of control of our lives, the whites speak of plight. We must relate to them that white people are our problem. If they do not understand or accept this, then we can't trust them. It's just more taxation without representation.

These are things we must understand about the white man – he has no inner life; he has created an empty society; he has lost the meaning of life; he has submitted to greed. His whole economic system is motivated by it. He lets the state program his children with it, he wages relentless war for it, he exploits his religion for it – but he fails to recognize this because he has rationalized it with his structured bureaucracy, his laws, his monuments of ego, his definition of civilization. He does not have to recognize this for he has reached a high level of neurotic insanity and must feed his habit.

So, we cannot ask him to listen. We must tell him. And then we must make him move. We can settle for no sympathy nor can we make any excuses for him. We must accept his lostness and build accordingly.

There are many whites that we know who say that they are our friends. Well, they must prove it. Really, we need brothers, not friends. One thing about whites is that they always cause fighting among Indians. Everywhere. From their handling of federal programs to their dancing at Indian dances.

"Twentieth-Century Colonizers"

". . . we have kept in mind the desire of Indian people to self-determinate; to become involved in planning their own destiny. Self-determination and involvement are clearly the policies of this [Nixon] Administration, but difficulties arise in the how of it."

". . . the opportunity does now exist as it never has before for Indian people to continue the great advancement which has occurred in recent years."

– statements made by Robert Robertson to Indians of All Tribes Alcatraz negotiating team March 31, 1970

These are the statements of a colonizer. Robert Robertson is a colonizer. He [did] his colonizing as the executive director of the National Council for Indian Opportunity [before his resignation in late 1973 after the departure of vice-president of the United States Spiro Agnew from the American Government.]

In his capacity, he had more influence on Indian Affairs than did the entire population of Indian peoples. He made the above statements during a negotiating session on Alcatraz Island in 1970.

In November of 1971, he told the National Congress of American Indians [NCAI] in Reno, Nevada, " . . . the militants – the ones who invade Nike sites or are forced from an Alcatraz, bring negative publicity against the Indians . . . most of the militants are urban Indians and can't understand the day-to-day problems of the reservation Indian."

The National Congress of American Indians was formed about 30 years ago for the advancement of Indian peoples. It was entirely of reservation membership, of course. There were about ten urban Indians then. In the late 1960s, the urban Indian people started pressuring for inclusion in NCAI, and the various "Robertson types" in government countered by forming the National Tribal Chairman's Association [NCTA] which exclusively represents the reservations through the tribal "leaders" constituting the Association's membership. In 1971, after a hard hassle at the convention in Reno, the urban Indian gained recognition in NCAI. Almost immediately, the government shifted its "approval" to the NCTA, thus trying to keep the Indian divided between urban and reservation.

Robertson's organization – NCIO – channels funds to the NTCA. All of these organizations are supposedly independent of the BIA. Out of all the federally "approved" Indian organizations, Robertson's NCIO has the most say. Complicated, isn't it? That's Robertson's job – he is an effective colonizer. He knows the art of recognition. His organization has given favors, friendship, economic betterment and so-called prestige to a few members of the executive board of NTCA and in return, there is a silent agreement to get along.

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When an issue such as the BIA occupation in Washington, D.C., occurred, Robertson had some Indians be vocal in the government's behalf while claiming to speak for the Indian community. The truth is that these few well-off "good Indians" speak for themselves and their friends – there is no organization that speaks for all Indians. These "good Indians" do not have full knowledge of the facts of how Indians are being exploited. They know little about the working facts of the program affecting their Indian people.

This is Robertson's effectiveness. He makes them feel important, without even going through the routine of letting them run their own programs, decide their own education, spend their own money, or run their own health services. These Indian men have been given positions, but no experience. These "good Indians" supposedly represent Indian people, but they have no working knowledge of the Johnson-O'Malley educational aid programs, structure and regulations, land and mineral rights, treaty obligations, etc. Instead, the white bureaucrat has all the information on Indian monies, treaty rights, educational rights, etc., and must always be consulted by this so-called leadership before they can make a stand for their people.

The result is white dominance of Indian rights. This lack of daily work experience in governing our lives keeps these good Indians dependent on the friendship and recognition of the Robertsons, while not having to return control of Indian destiny to Indian people.

In reality, Robertson can't give us control of our destiny – we will have to take hold of it ourselves. But these good Indian friends of Robertson do not realize that – instead they condemn their brothers and extend the government's colonist exploitation of Indian peoples. The tragedy is that they are being used and don't know it – or do know it but are selling us out. The Robertson-types control programs and funds, and when we want answers, they do not have to answer to anyone – they just send their good Indians out to call names. (During and after the occupation of BIA in 1972, about a dozen members of NTCA were brought to Washington to deplore the damage and call for prosecution.)

Harrison Loesch is a colonizer. He was former Assistant Secretary of Public Land Management. Harrison Loesch, as a representative of the Interior Department, had authority over the Commissioner of Indian Affairs. In essence, he was in a position to give orders to Indian people. One order he gave was that no BIA officials would cooperate in any way with the organization or progress of the "Trail of Broken Treaties" caravan coming to Washington in November, 1972. Loesch, like Robertson, is a political appointee – that is the extent of their experience in the Indian world, but experience in the concerns of Indian peoples' rights is not a requirement for a colonizer. They must be experienced in the task of exploitation. They must know how to exploit Indian economics and keep Indians divided. This they do by rumor and lies. This they do when they control our funds and make urban and reservation people compete for the same monies. They do not recognize the federal government's obligation to all Indian people – instead they work to pit Indian against Indian. Harrison Loesch, in his position as hatchet-man, influenced appropriations that reservations were to receive or not receive – this gave him power of intimidation over the "good Indians."

Colonizers Loesch and Robertson have many colonizer friends. L. Patrick Gray III, [then] director of the FBI, is among them. His job is to watch the "bad Indians" so that they don't get together and create awareness among the other Indians. L. Patrick Gray's FBI always sides with the colonizers. It's his job. The FBI reported the Trail of Broken Treaties caravan route, and early planning, to BIA and other federal agencies well in advance. That means they had the organizers under surveillance. It's yet another case of those with grievances being watched, while the bureaucratic law-breakers they come to confront are left free.

There are many of these colonizers in the Indian world – too many to name, but their jobs are all the same – to colonize. Colonization has a purpose: profit. As long as they can colonize Indians, they can exploit us. Colonization is exploitation.

They control our land, minerals, education – academically and financially. They control all of our resources. They have all this control, and Indian peoples have reached the highest level of poverty in recorded history. Things keep getting worse. Land bases dwindle, unemployment stays high, suicides are abundant. We must settle for 47 cents an acre for our land – the cost to us is too high to pay.

> "He is an effective colonizer. He knows the art of recognition. His organization has given favors, friendship, economic betterment and so-called prestige to a few members of the executive board of National Tribal Chairman's Association, and in return, there is a silent agreement to get along."

These colonizers are everywhere in the Indian world, from the national offices to state and local offices. We have investigated the Johnson-O'Malley Act and its enactment in the state of Oklahoma. We have found systematic misuse of these federal funds. We have also found that this misuse stems from the structure of colonization.

Oklahoma is just one example of this colonization process at the local level. Local administrators decide our needs and spend our education funds the way they want. The Indian people have no real voice. In effect, these congressionally-appropriated funds are recirculated into the white communites in spite of the law.

We can prove it. Now we ask: "Who in the colonial system is going to do something about it?"

"Law and Order"

American political rhetoric is loud with "law and order" with barely a whisper of justice. There are many men serving in government today who were elected on that issue. The colonists fought their non-revolutionary war with that as an issue – they wanted the power to define their own justice. It seems to have been an issue throughout the history of the American state. The fact is while law and order and justice are issues, it does not mean that they are realities.

There is no justice in the American government, because there is no law – although there is order. Law in the pure sense recognizes equality at all levels, and that does not apply to the American state. Rules, however, only have to be obeyed by those without the power to enforce them. The rules do not respond to justice. Power does not recognize rules. The order that exists is in the legislative and judicial branches of the American state – they maintain order with the law. Look at the racism that exists in the rules of this government: the rules of this state were founded on the inclusion of whites only, permitting race slavery and genocide against Indians.

This racism or order shows the ignorance of the white society. They have been told to fear anarchy as defined by activist ethnic groups. What their white blindness fails to see is that the anarchy being committed every day is against all of us. The obvious fact is that the whites are pawns for the American government. They have been taught private ownership of property – real estate – is another factor in maintaining order. If they do not diligently carry out the duties of the American government, they will lose their plot of land. . . Because of this value, white Americans do not question the corporate military-industrial nation about the humanitarian things of life. Their racism tells them that they are too smart not to be free, while every day there are more corporate laws pushed into effect to emphasize property rather than life. These whites are making it legal for the nation state to kill them should they see – maybe that is the reason for their blindness.

The anarchy that exists is exemplified by the government's soldiers. Army, national guard, tactical squads, sheriffs, FBI, city police, CIA, county police, deputies, state police, vice squads, etc., are all tools of the anarchy. Anarchy is to create disorder. Look at what these soldiers have done to Indian peoples with their rules and their enforcement. The government has used war, lies, and theft to create disorder among their peoples and then sent their soldiers in to maintain the disorder. These soldiers are everywhere – yet we have received no justice.

While the white bureaucracy plays its game of ethics, this white society is afflicted with its inherent racism. So we cannot expect them to be concerned with law and justice. They will never lead the fight for it. It is beyond the realm of their comprehension.

> "The final lesson from this report is that the situation will never really improve so long as the colonial system is maintained, so long as the programs are dictated by the BIA and appointees to powerless advisory councils."

The Bureaucracy

One area that the American Government is extremely sharp in is the difference between funding programs and honoring human rights. Each time we talk about our human needs, they answer with nickels and dimes. Once again, programmed education has come in handy.

All the American government funding organizations – OEO, HEW, etc. – never fund to meet Indian needs; instead we must use needs to fit the rhetoric, while creating organizational structure to fit the agencies' funding programs.

In effect, we are replacing white bodies with Indian bodies while allowing white structure to spend the funds. The thing seems to be that the American government uses funding programs to postpone the Indian peoples' rights issue.

The American Government makes us create their bureaucracy as a means of change, but all this does is change the surface rather than the cause. The Bureaucracy grabs the vocal activist and channels his fight through the bureaucracy while allowing conditions to exist as before in the Indian world. The bureaucracy, in essence, lays down the rules on how to change it – all the while remaining the same.

Federal economic programs set up as self-help programs are used to perpetuate oppression. This is done by setting up class separation and false recognition. With these programs go the white structure. The people getting involved in these programs are divided by title and salaries – then they have their priorities defined for them. The chain of command does not leave room for free discussion of thought. Instead, it emphasizes following procedure.

The following of bureaucratic procedure creates competiveness and jealousies among Indians and thus the energy is expended internally rather than used aggressively to fight for human rights. There are several ways in which the federal programs make this work.

Salary differences are rationalized to show importance of position and title and authority. What this really does is to take potential leadership and subvert it. The high-positioned people are in a different economic bracket – they can afford to move from the realities of poverty and oppression while keeping the token authority to dictate needs of the oppressed that they have just moved away from. The bureaucracy recognizes them with position and uses money to make believe it recognizes the oppressed people.

Just as important, the American government has defined freedom – and it cannot afford to change that definition with more freedom. That is why the American government encourages national organizations. By giving individuals national recognition, they can pretend to listen to the people's problems by pretending to listen to the individuals or organizations they know and recognize by name. Following the Washington, D.C., BIA occupation, the Nixon Administration, rather than listen to Indian ideas for change, attempted to cloud the issue by moving offices to different buildings and reshuffling faces – all the while perpetuating the basic philosophy of white control and Indian termination. The Administration rejected the Trail of Broken Treaties' Twenty Points for structural change of federal government dominance over Indians in favor of recognition of a few tribal chairmen's condemnation of tactics used.

By encouraging national organization, the Government knows that national organizations need people on the national level. This means that these people have to leave their local areas to fight their causes on a national basis. They give emphasis to changing things nationally and neglect the local fight. The national picture can be changed by fighting in the communities, but the government does not want us to recognize this. How long could the national bureaucracy move in safety if we were breaking their support at the community level?

We Indian people are ruled by total oppression, and this oppression in its totality gives us a weapon. Bureaucracy protects its individuals with buck passing. National bureaucrats say that this is a local problem and local bureaucrats say that this is a policy set on the national level. We must narrow our fight. If we went into the BIA and started running the whites out of our local areas, we would destroy the protection of the national bureaucracy. We should rid the agencies, area offices, and schools of white people.

This is not a radical act – it is a realistic necessity, for these are the people that are carrying out the destruction of our people as people, and as individuals. We must show the whites in the BIA that they are the minority – we must show these bureaucrats and officials that there is no place to hide. The bureaucrats could not lie to our faces if we have control of our local areas.

VIOLENCE & DEATH IN DENVER

Denver, Colorado — North American native peoples who were colonized by the Spanish instead of the English, and who happened to live south of the point to which the United States pushed its frontiers have been involved in struggles which parallel those of their brothers and sisters who happen to be known as "North American Indians" instead of "Chicanos."

Some Chicano activists have met death and violence.

Most recently, two separate bombings in the Denver area killed six persons. Chicano leaders called it a conspiracy, and charge that a grand jury convened July 11 to investigate the deaths was a fishing expedition out to harass the entire Chicano movement.

The bombings came May 27 and 29. The explosions were theorized away by the Boulder, Colorado, police who claimed that they resulted from bombs the victims themselves were trying to assemble. This theory was spread by the *Denver Post* and other establishment newspapers throughout Colorado to make it appear that not only were the victims responsible for their own death, but that Chicanos are bomb-carrying revolutionaries terrorizing an innocent populace.

The May 27 explosion occured a few moments after Reyes Martinez, Neva Romero, and Una Jaakola parked their car near the Chautaqua Park Auditorium in Boulder. Pieces of the car were blown as far as 180 yards away, and the bodies of the victims were nearly unrecognizable. It took three days for the coroner to release the names of those killed to the press, and the families of two of the victims were never officially notified.

Reyes Martinez, 26, was a Chicano lawyer who worked for the Colorado Rural Legal Services. He was particularly involved in farmworker and immigration cases.

Neva Romero, 20, was a member of the United Mexican-American Students [UMAS] at Colorado State University, and had been active in establishing a bilingual program in the public schools. Her father is mayor of Ignacio, a small town in the middle of the Ute Reservation in southern Colorado. She had studied at the University of Veracruz, and had worked actively on campus for La Raza, Indians, and Blacks. She played a prominent role in the first Chicano National Conference for Land and Cultural Reform in New Mexico in 1972.

The third victim was Una Jaakola, 24, who studied for two years at Bemidji State College in Minnesota before going to Colorado where she received a double degree in sociology and psychology. Friends called her a brilliant student, very socially aware but not involved in radical politics or demonstrations.

The May 29 explosion happened when a station wagon exploded in a busy section of Boulder. Immediately after the blast, police told news reporters that this too was "probably the result of a faulty timing device which triggered a premature explosion of a bomb being assembled by the car's occupants." *The Denver Post* headlined the police theory again, not too convincingly trying to create some form of logic to the two bombings. A few words were appended to the effect that "some friends of the victims have suggested an alternative to the police theories — that the explosions are the results of someone trying to assassinate Chicano activists."

Florencio Granada, 32, who was killed in the second blast, was an employee of the Platte Valley Action Center in Denver, formerly president of UMAS at Colorado University, and a La Raza Unida Party candidate for the Colorado University Board of Regents.

Herbierto Teran, 24, was a social worker with the U.S. Labor Department, and was associated with the Pinto Project which helps find jobs for ex-convicts. Her friend, Francisco Dougherty, 22, was the third of the dead trio.

On May 30, search warrants were issued by a court and the homes of the victims were searched. Police entered the apartments under the protection of the no-knock law and ransacked them to obtain "evidence".

In a news conference on June 2, Rodolfo "Corky" Gonzales, the founder and principal spokesman of the Crusade for Justice, a Chicano activist group based in Denver, blasted the police and the media for its handling of the bombings. He delivered a scathing attack on Boulder, state, and federal police for their deliberate attempts to fabricate a theory about the explosions that were designed to mislead the public and discredit La Raza people who were trying to change the situation in which they live.

A theme of most of the speeches of the rally was the need for a united Chicano movement fo confront the stepped-up campaign of government harassment of Chicano activists since the bombing. "You don't have to be a heavy or a leader to teach people," Corky Gonzales said. "And when you teach people, you don't drive them to do foolish things — you teach them to organize."

Over a year ago, Vern Bellecourt, a national official of the American Indian Movement, had his own car firebombed as it was parked outside of the AIM office in Denver. He was not in the car at the time.

The latest bombings came on top of a series of repressive actions against Colorado's Chicano community and the Crusade for Justice in particular. On St. Patrick's Day, 1973, the Escuela Tlatelolco of the Crusade for Justice was sprayed with gunfire by police and part of the building was blown up with grenades, killing a teacher at the school, Luis "Junior" Martinez. Ernesto Vigil, a Crusade leader, was critically wounded, and like others arrested and charged with felonies in the attack, a jury refused to convict him, taking less than a minute to decide his innocence.

For instance, such a bomb was found last January 13, supposedly thrown through the window of Boone Paint Store. Two days later, **The Rocky Mountain News** headlined: "Bomb Recipient, Crusade for Justice Connection Traced." Then Crusade tutor Garry Garrison was arrested and held on $100,000 bond. When the press damage had been done, he was released on his own personal recognizance.

Another violent action came July 13, when Chicanos in Brighton, a small town near Denver, were attacked by police as they gathered peacefully in the town's Veterans' Roadside Park. At least ten people were injured, including two policemen bitten by their own dogs. There were 29 arrests by Brighton police and officers from six area police departments.

Chicano witnesses said the attack showed careful planning. A policeman was said to have been pushed by a Chicano youth who had been asked to show identification. Then, the entire force of Brighton policemen, some 30 men, wearing riot gear, armed with police dogs, billy clubs and mace, moved into action against the group of 40 young Chicanos. Police removed their name tags to make identification difficult. After the attack in the park, the police, fresh with the taste of blood, ran through parts of the community, attacking people sitting on their front lawns.

Immediately south of Colorado, in Santa Fe, a year ago police attacked La Escuela Colegio Tonantzia, an alternate Chicano school, resulting in the death of 19-year-old Linda Montoya. At the time, 50 men, women, and children were inside the building, celebrating the annual Fiestas de Santa Fe. Although a grand jury exonerated police officers in Montoya's death, it indicted seven young Chicanos from the school for assault with intent to commit murder.

The prosecutor painted the seven defendants as part of the "forces of lawlessness growing within this country who are not willing to work within the system." He alleged that the police had been lured to the school for an ambush. However, no weapons were recovered by police, and there was no evidence of shooting from the school outward, although there were plenty of bullets going in.

Because police refused admittance and arrested all who returned to the school in the days following the shoot-out, it was some days before parents were able to reclaim their school. Then, they found all cars had been smashed, brick-making frames were destroyed, as was every musical instrument, every book, every painting. The school's food supply had been dumped. After the jury trying the seven Chicanos saw videotapes of the police vandalism, it returned not-guilty verdicts.

Chicano people in Denver protest bombings, grand jury actions, deaths, oppression.

Other events occuring under suspicious circumstances have built up a climate of near-hysteria against Chicanos. There have been a number of "bombing attempts" in which police arrived in the nick of time to save buildings they said would have been destroyed. In each case, police destroyed the dynamite they said they found before independent investigators could check it over. Meanwhile, the media sensationalized the incidents and through innuendo, tried to implicate Chicano organizations in the acts.

In August, three law suits were filed by victims of the 1973 incident. Onesimo and Mela Montoya of Galisteo, parents of Linda, brought civil action against the City of Santa Fe in state District Court charging negligence and seeking $500,000 in damages.

(Thanks to Peter Seidman, Skip Ball, Walrus Oakenbough, Keanne Stanford, The Militant, Georgia Straight, Liberation News Service, and The Guardian for information used here.)

OUR OWN PUBLICATIONS

Indigena Pamphlet Series

The Rights of Indigenous Women in Columbia
A strong statement by native women, made in the 1920s, illustrated by Miguel Sagué. This is not a dry, legal statement, but a manifesto of the women themselves – strong, stirring, and emotional. 25 cents.

The Indian Situation in Brazil Today:
a newly published pamphlet, outlining the nature of the genocidal war being waged against native people of the Amazon. Destruction of communities is documented. Reprinted from Journal do Brazil by INDIGENA and *Akwesasne Notes.* 25 cents.

A Hard Look at American Catholic Folklore: A pamphlet with two articles by Richard Lundstrom, "Mohawks, Martyrs and Myths," and "For If the Indian Peoples Die, Who Among Us Deserve to Live?" Just 25 cents for a copy of these reprints from NOTES. Church groups are buying them by the hundreds for lively discussion at 40% discount, for any large quantity.

BIA: I'm Not Your Indian Any More – *$1.95*
the story of the Trail of Broken Treaties group which occupied the Bureau of Indian Affairs headquarters in Washington D.C. in 1972. The book also contains the Twenty Point position paper presented to the White House which would revolutionize Indian/U.S. relationships – plus the White House reply, and a rebuttal to the White House. This dialogue will be heard throughout the 1970s, and needs to be understood – and acted upon – by every American and every native person. 8½ x 11, 96 pp., paperback.

Declaration of Barbados:
This pamphlet should be discussed thoroughly by all students of anthropology – college and campus bookstores should let the anthro department know it is in your stock. Church officials – and all concerned people – will find it of interest too. It discusses the role of non-native scholars and missionaries with the native people. 25 cents.

The Great Law of Peace:
This is the Constitution of the Iroquois Confederacy, portions of which were adopted in the U.S. Constitution. It is a statement of morals, spiritual belief, and government which is 1,000 years old – and which is still in use today. 84 pp., paperbound. $1.00. Illus.

The Migration of the Iroquois:
Pictographic writing, and text in English with some handsome drawings of Iroquois life, detailing a chapter of North American history – how the Iroquois migrated from the southwest to the northeast. 50 cents. Illus.

A Message to All People: The Hopi Prophecy:
A spiritual message as old and timeless as the land. Illustrated. A warning – with hope – of interest to all human beings. $1.00.

Posters Available From AKWESASNE NOTES

1 *South America*

2 *Chief Joseph*

3 *Wounded Knee*

4 *Longhouse to Kiva*

5 *Zuni Governor*

6 *Sitting Bull*

7 *Three Sisters*

8 *Grandma Hunter*

9 *Poundmaker*

10 *Shackled Native*

11 *Family Portrait*

12 *Three Horsemen*

13 *Fire Carrier*

14 *La Raza*

15 *Dan Katchongva*

16 *Our Ideas*

17 *Statue of Liberty*

WARNING WARNING
NO OUTSIDE WHITE VISITORS
ALLOWED. BECAUSE OF YOUR
FAILURE TO OBEY THE LAWS
OF OUR TRIBE AS WELL AS THE
LAWS OF YOUR OWN, THIS
VILLAGE IS HEREBY CLOSED.
18 *Signs of the Times*

19 *Flathead Chief*

In each issue of AKWESASNE NOTES, there isa centerfold poster. The entire series is available as separate posters, printed on heavy poster paper of various colors. They are 17 x 22 inches. Any combination of posters is available at 3 for $1 or 50 cents each plus 25 cents for a cardboard mailing tube. We reserve the right to substitute when we are out of stock. The posters are also excellent fund-raising items for schools, groups, fairs, powwows – 100 can be shipped, an assortment, for $25. Order from: AKWESASNE NOTES, Mohawk Nation, via Rooseveltown, N.Y. 13683.

1975 NATIVE AMERICAN CALENDAR READY!

The 1975 calendars arrived just as this paper was being set in type. They're handsome, featuring Original Instructions for Human Beings as the theme of the drawings. One of them, reduced in size, is on the right.

The calendar includes each days' major events in the history of native peoples of North America, plus the cycles of our Grandmother, the moon, names of the month in native languages.

It is the ideal gift for mid-winter celebrations for peoples of all origins. Besides, it is an attractive and easy way to help friends come into greater harmony with historical realities. In our homes and offices, it is a means of educating ourselves on our past – and our future as human beings in this Creation.

This is the fourth year the calendar has been issued by us. Often, printing problems and our own inefficiencies have caused delays. But now we have them. Order now, first come, first serve. Because of increases in the cost of paper, the calendars are $3 each, shipped in a cardboard mailing tube.

Bookstores, Indian organizations, student groups, and individuals can order the calendar in quantity as a fund raising project. There is a 50% discount if ordered in quanties of 50 or more.

SHARING:
The Creation shares with all its creatures, giving us the privilege of sharing, in turn, with others. Since nothing is really ours, we pass Creation's gifts on, keeping the cycles of life strong.

RESOURCES

TAPES

WHITE SETTLER STATES: Ben Magobani, a black anthropologist from southern Africa, identifies the common ground of the struggle of the native peoples in all white-settler states, and instructs his fellow anthropologists on their proper role in the struggle. 15 minutes. Also: John Saul, foermerly of the University of Dar es Salaam, talks of his experience trying to make his work as a political scientist useful for FRELIMO, the Mozambique Liberation Movement. 15 minutes. Total program: 30 minutes.

JAMES BAY FORUM: A town hall meeting in Toronto in the fall of 1973 heard four speakers intimately involved with the Cree and Inuit people fighting for their survival against the James Bay Project: film-maker/author Boyce Richardson, environmentalist John Spence, economist Terry Godsoe, and Billy Diamond of Fort George. 60 minutes.

HARRY BELAFONTE: tells an AIM rally in St. Paul that his freedom depends upon the freedom of the native peoples. A men who left his career as a singer to assist electoral politics explains how Wounded Knee changed his own perspective on America. 30 minutes.

NATIVE PEOPLE'S CARAVAN & EMBASSY: If anyone still believes the myth that Canada's relationship with native people is less violent than that of other imperial nations, this program will help them to re-evaluate the armed truce. It traces the origins of the Native People's Caravan which reached Ottawa on September 30, 1974, and culminated in the first use of Canada's RCMP riot squad as well as the founding of the Native People's Embassy. 30 minutes.

A TRIBUTE TO GLADYS BISSONETTE: Mark Lane in conversation with Kanatakeniate, August 19, 1974. The Wounded Knee defense originally planned to call 300 witnesses and to have over 100 testify. Mark Lane tells how the complete testimony of this courageous woman caused the defense to rest after calling only five witnesses. 15 minutes.

GANIENKEH. On May 13, 1974, warriors, women, and children from the Mohawk Nation at Kanawake returned to their traditional hunting grounds in the Adirondack Mountains to re-establish a community and nationland. The next day, three spokesmen met with the press to explain the importance and meaning of this move for all traditional native peoples. 45 minutes.

ANIK ALTERNATIVE: You can continue the domination of the people simply by giving them infantile activities to occupy them." No one ever asked the Inuit and Indian people of the North if they wanted to see Hollywood soap operas with a $90-million satellite put up in 1973 named "Anik," an Inuit word for brother. It carries anything northward, little southward, and nothing between isolate points in the Arctic. Almost half this program examines alternatives to the mass media which native northerners said they would prefer. Produced by Dalaskakis. 45 minutes.

NO MESSAGE FOR THE SOUTH: A provincial cabinet minister, a judge, and a TV reporter are among those taken in by Cree foster parents to learn the language and the ways of the people of Moose Lake. Both foster parents and their "children" sum up their experience of exchanging roles by saying, "There is no message for the people down south until they come and live with us." 15 minutes.

THE ANTHROPOLOGISTS LISTEN: three speeches, 75 minutes total. Also available separately. Three talks of special and continuing value were given at the American Anthropological Association Convention in Toronto in 1972. JOHN MOHAWK, speaking for Akwesasne Notes, described the efforts to suppress the newspaper, culminating in the arrest of its editor. He outlines the communications work which the Iroquois Confederacy has carried out since its founding and tells the spiritual basis for its continuing work. He also, in a separate talk, deals with the role of the anthropologist in aiding or combatting forced assimilation. 30 minutes. TONY BELCOURT gives a basic introduction to the life and struggle of the Metis and non-status native people across Canada, and relates the present crisis of the forgotten people to the role of the anthropologists. 15 minutes. PHILIP AWASHISH, chief councillor of the Cree Nation at Mistassini, outlines the origins of the James Bay project and the organizing effort which led to the longest trial in the history of Quebec. A scholar points out that the same thing is happening across the north, and Boyce Richardson adds his comments on what the crisis means for the continent and for committed journalists. 30 minutes.

GHOST DANCE: a discussion with an historian of Indian music about the origins of the Ghost Dance, its relation to Indian religious tradition, and how its misinterpretation contributed to the Wounded Knee Massacre. 15 minutes.

RUSSELL MEANS TALKS: about the AIM patrol in Minneapolis which got the organization underway; AIM's relations to the church, plus a statement of AIM's spiritual basis. 30 minutes.

ARCTIC HIGH RISE: two short items with women of the Arctic describing the increasing pressures of northern colonialism as they experience it. (1) Three women and a Kabloona talk about making-do in southern-type apartments while their families carry on hunting, fishing, and other traditional occupations. (2) A young Inuit girl describes what she sees around her, how the white school books tell of her world, and how she would have it told . . . if it's not already too late. 30 min.

RIEL, DUMONT AND THE BUILDING OF THE RAILWAY: As Louis Riel has become the folk hero of the prairies, Metis people have come more to admire his chief military lieutenant, Gabriel Dumont. Historian Desmond Morton tells why Dumont is the greater leader, and an Australian playwright portrays Canada's first Prime Minister participating in a 'negative conspiracy' to bring on the Second Métis uprising to stimulate support for the building of the railway. 30 minutes.

The tapes listed in this column are part of a series for schools, discussion groups, tape libraries, radio, and individuals. The series is always being updated, added to, and this list is mostly new additions.

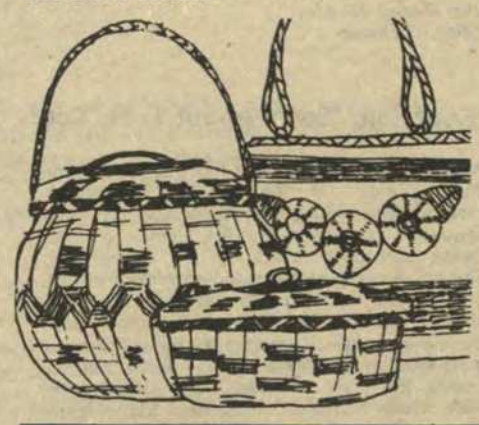
Prices are for reel-to-reel tape at 3 3/4 ips, or on cassette or cartridge. (Please specify!) Institutions are expected to pay full price, but individuals and those who can't afford more can pay half-price.

30 minutes – $7.00
45 minutes – $8.50
60 minutes – $10.00
90 minutes – $11.00

WHOLESALE CRAFTS

High quality beadwork: necklaces, hairties, bracelets, ear-rings, chokers, bolo ties and other items are now available, as well as black-ash & sweet-grass baskets from Akwesasne. There is some leatherwork: mitts, mukluks, belts, headbands.

Most are one-of-a-kind items too difficult to catalog. While we can fill some individual orders, we highly recommend the crafts on a discount basis for fund-raising. Each item is tagged with a suggested retail price, and we can send a 30-day consignment of $130 retail value for $100 wholesale of a variety of items. Any unsold items can be returned at any time. These handmade crafts will sell well at powwows, craft fairs, bazaars, and other events.



MEDICINE HERBS

VALERIAN ROOT

A full description of this relaxing tea was published in the Late Autumn, 1973, issue. It is available for $1.50 for 3 ounces with a leaflet describing its historical use by native peoples.

AMERICAN DOGWOOD

Native people use dogwood as a substitute for quinine, and some peoples have used it for diseases caused by weakness of the stomach and the bowels. It is said to revitalize the tissues and speedily removes pain from diseased parts. We can send a 3-ounce pouch of cut bark, postpaid, for $1.

charts

Royal Ontario Museum Charts

These beautifully designed and printed charts are spectacular: about 34 x 40 inches, with an explanation in French and English. Great for displays, for classes, even hanging in a home. There are six in the series:

NASKAPI (a northern people)
MUSICAL INSTRUMENTS
QUILLWORK
WOOD CREE
TOYS AND GAMES
ASSINIBOINE

Each chart is $3.00, postpaid.

INDIAN TOBACCO

KINNI-KINNICK – blends of herbal ingredients and fine tobaccos – is available from us. It is mixed, packed, and shipped from the Mohawk Nation. There is a brochure on the six available blends, but the best way to try it is to order 2-ounce samplers. They are $1.15 each, or 3 for $3.15, postage-paid. Test them out to find a favorite for re-ordering in ¼ or ½-pound pouch.

Each blend of KINNI-KINNICK is representative of the old mixtures for social smoking. The blends we have:

Eastern Woodlands
"Ceremonial"
Old Chippewa Straight
Mohawk
Western Plains
Northwest Coast

One blend, Old Chippewa Straight, contains no tobaccos – just barks, roots, leaves, herbs.

For tobacco shops, commercial outlets, or for fund-raising by groups, we suggest a sample shipment of six two-ounce pouches of each of the 6 blends for $25 postpaid. That's a 1/3 discount. Returns permitted any time.

Order from: AKWESASNE NOTES, Mohawk Nation, via Rooseveltown, New York 13683.

NOW AVAILABLE!!

VOICES FROM WOUNDED KNEE-1973

Ellen Moves Camp

VOICES FROM WOUNDED KNEE, 1973: The People Are Standing Up. Published by Akwesasne Notes. This is the story of the liberation of Wounded Knee in the words of the participants, culled from 100 hours of tape recorded while the occupation was in progress. It is accompanied by 200 photographs, and several maps. This account is essential reading for anyone who wants to understand this episode of the struggle for human dignity and freedom in North America.

It too is a fine gift. The price is $4.95 for the 282-page book.

You can help in the distribution of this book, your book, by asking bookstores to carry it on their shelves. Or native groups and other organizations and individuals might want to sell the book themselves. Enquire for resale discounts, and discounts for classroom use.

We ordered 4,000 copies, and only 1,000 are left – another reprinting is underway now. So order now to avoid disappointing waits.

LETTERS

Massachusetts Prison Group

BROTHERS & SISTERS: We, the Inmates of Norfolk [Prison] who are of Indian blood have formed the American Indian Rights Group. Our intentions are to better the lot of Indians whether outside or incarcerated.

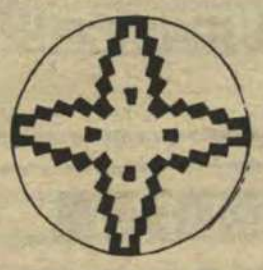
We extend the NOTES our support. For it is like a candle in the night guiding all our Brothers and Sisters home once again after a long drought of darkness and uncertain times. There isn't any question in my mind that the Indian culture will surface as the main factor on which humanity will base their future foundation.

[We would like to hear from other Indian prison groups.]

We invite anyone in the general area of Boston to attend our meetings within the walls of Norfolk Prison – but we need names and addresses as far in advance as possible.

Our best to the People involved in the NOTES. Keep the candle burning – one in darkness needs the light to guide by.

George Nickerson
American Indian Rights Group
POBox 43
Norfolk, Massachusetts 02056



The Medicine Wheel Turns

GREETINGS: Having studied on my own something of eastern religions and history, there is one thing I notice that is unapparent in European cultures. That is the feeling for the cycles – the way the wheel plays such a role in Buddhism, for instance. The wheel of life and death, recurrent aspects of human behaviour, and so on.

The native peoples seem to be aware of a renewal – a new cycle. If they all realize this "old-into-new" then there would not be so much morbid thinking about all that was lost, old ways gone, etc. – just the knowledge that for a time, another cycle was in ascendancy, and the wheel is turning around to old-things-again-new here in America.

In the Canadian history, there is much about the French or the English negotiating alliances with certain tribes of Indians. In the present situation with James Bay, some of these still could be on the side of Indian spokesmen, getting support from some English societies and some from French – working the old alliance method to their advantage. How this might be done and if it could be done I do not know.

If the knowledge of cycles is taught with regard to what is happening to native peoples, even the children could grasp this idea, as the European civilization disintegrates, something else is moving and growing. It is not turning back the clock, or simple revival of old ways. Once the cyclical awareness gets through to all, it should bring joy.

Ruth Anne Bluger
Ottawa, Ontario

Our People to the South

NOTES: I'm a Yaqui, half Mexican and half Indio. What really burns me up is "United States Indians" putting down the Mexicans or Chicanos. Have you forgotten that quite a few tribes that are now in Arizona were originally from Mexico? They fled when the Spaniards were conquering Mexico.

Every Chicano has Indian blood whether they want to or not. Have you forgotten the seven states that were lost to the Gringo? That was all Mexico at one time.

The Yaqui Indio never took a back seat to no one in fighting, or just plain being against the intruding Gringo.

Whoever terms you northern Indians "American Indians?" Are we "Mexican Indians?" Or the forgotten people?

Some of my people are in Guadalupe, Arizona. They built their own firehouse, school, and church with the help of Chicanos – not by so-called American Indians.

Give me some answers if you can.

El Indio Yaqui Hawk
Sonora, Mexico

Standing Up to Live

NOTES: Mass technology and Anglo conformity is being used to destroy (psychologically) untold numbers of people. It is heartening to know that you are standing up to this threat and are working to retain and reinforce the way of life and identity of your people. By working to preserve your culture, all people benefit. Your example is strength for the weaknesses of others.
Mark Thiel
West Allis, Wisconsin

A Chance to Be Heard

NOTES: With the takeover of the park in Kenora by the Ojibwa Warriors Society, I am pleased that the whole situation will at least have a chance to be heard, like Wounded Knee.

No human condition is beyond hope if there are enough people of good will and compassion who are willing to help in some way. The Indians who sleep on the pavements, who are almost hopeless, are *my* brothers and sisters – and whoever reads these words, they are *your* relatives also, no matter what the colour of your skin.

If only a few Indian families in the more better-off reserves would adopt a few of these Kenora so-called hopeless families, that would be a start. By adopt, I mean in the true sense of the Indian way of life.

That way, the white man would have no part in any so-called handouts. I say again – will any family try this out for a little while?

Harry Boulby
Barrie, Ontario

Sorry About That

SIRS: We received your paper today. I must say it's something else. Please remove our names from your mailing list. Your paper depressed us. We do not consider ourselves militant, and that's what your paper is to us.

The Russell Nickles
Flint, Michigan

'Snuf Said (Sorry About That, Too)

NOTES: When Dean Swift reintroduced fancy sniffing snuff in the U.S. in 1964, our research discovered that Columbus and subsequent explorers/exploiters found tobacco being constantly used by the entire pre-Columbian population, usually in the form of chewing or snuffing. One early writer mentions a thriving Brazilian snuff factory producing a variety of scented snuffs which were marketed in containers made from hollow bones, the ends of which were sealed with wax. These containers have been found from Hudson Bay to Tierra del Fuego.

I wonder if your readership has access to any information about this subject.

Free samples of our product will be sent to anyone who writes us. In addition, we should greatly appreciate any historical information. Such information will be organized and furnished to AKWESASNE NOTES for possible inclusion in future issues.

W.H. Poole, Director
Dean Swift Ltd.
Box 2009
San Francisco, California 94126

More Spiritual Articles

NOTES: Please include more articles on native religions and philosophies – spiritual life. I want to come to know that kind of acceptance of the universe and harmony with the Creator and all things created.

Connie Faye
Chicago, Illinois

(Those who would like to send in essays or tapes on this topic are invited to do so, for possible publication. The Editors.)

A Comanche Behind Bars

BROTHERS & SISTERS: I'm a Comanche behind prison walls. A year ago, I killed a prison guard here at the prison. Since that time, I have been confined to isolation. I have no means of exercise, fresh air, or any privileges.

The Department of Rehabilitation and Corrections has informed me that they will never let me out of isolation. They said they want to transfer me to a prison out of state. They've been telling me this for months, but as of yet, no effort has been made to transfer me.

I was given a life sentence by the court for my wrongdoing. It is not the prison officials' job to go on punishing me by isolating me. They are only seeking revenge. Consequently, I am asking for your support to petition the Governor of Ohio asking that I be released from isolation. Please help me. The Governor's address is John Gilligan, State House, Columbus, Ohio 43215. Your help is appreciated. Thank you.

Wayne L. Raney 132-970
Box 787
Lucasville, Ohio 45648

Yo!

NOTES: I would like to express my thanks to you for doing one hell of a job for our people.

Wilford X. Hill
Oregon State Penitentiary
Salem, Oregon

A Step Forward

NOTES: About Land of the Flint, Ganiengeh. Just a few days before receiving NOTES, I read an article in our local paper about the beginning of construction for two large shopping malls. We already have several. These two malls are using many, many acres of much-needed farmland. Everyone calls this progress. I call it self-destruction.

The Six Nations Iroquois Confederacy cooperative system definitely is not a step backward. I too believe that with such a system, the Indian Nations will survive while this white "civilized" society will starve.

Joan Gold
Easton, Pennsylvania

Returning Land to the Creation

NOTES: Some neighbors and myself who are buying land here in northwest Arkansas are interested in somehow returning the land to its pre-Columbian status, retaining only stewardship. Do you have any information on how his might be done? A model deed? Yours in the Spirit,

Mark Blosser
Fayetteville, Arkansas

[Persons with experience in land trusts, and lawyers who might suggest a model deed are invited to respond to Mark Blosser via NOTES so that a published reply can be shared with the many others who have asked this question.]

In Manitou We Trust

NOTES: The other day, a little white girl asked me about Manito. Was he just another name for God? I went back along memory's trail to the feet of many friends who had taught me so lovingly about this Kije Manito.

The Indian's God is not some remote, angry, vengeful God – we do not fear Him for Manito walks at our elbow and is a friend and we do not worship him except through the sun, a rock, or a range of hills, for these are the outward appearance of His face. He is the power that lives and breathes throughout all Creation.

We do not feel the need of an intercessor such as a priest or minister, because we know we do not need an intercessor to speak to a friend. Our Bible is the world of Nature in which we must eternally live and his Commandments are the laws of Nature which we all must become familiar with if we are to live in a right manner.

Belief in our Manito is an intimate, deeply, personal way of life. So, we are never more than a breath away from our religion and our God. If we are comfortable and serene in our faith, it is because centuries of proven reliability have made it so. How can we doubt a Manito who has never turned a deaf ear to our pleas? See – even now he takes us by the hand and leads us out of the winter of our existance and into the new dawning spring of the Indian Nations. This is our Manito.

DaNaWaq Kilsokwa
Eagle Clan Mother, Shawnee Nation
United Remnant Band
Courtenay, British Columbia

Disarming the Monster

NOTES: It touches me in my heart in your Early Winter issue, where you bring out how white pacifists and some Christian leaders have criticized Indians for using armed force to defend their rights and their dignity against white encroachment. You should know that Indians were not the first to suffer from that kind of hypocrisy. Many pacifist and Christian spokesmen have demanded that Jews be more Christian than the Christians in their response to attacks and oppression.

Aaron Margulis
Philadelphia, Pa.

HAVASUPAIS ASK FOR OUR HELP

Kind people:

A century ago, our people lost all but 518 acres of lands which once included nearly three million acres. The [U.S.] Government drove us all into this tiny canyon [in the bottom or the Grand Canyon] and placed all our upland hunting and grazing areas under other federal control. Since our very survival has always depended on our use of those uplands in winter, we chose the dangers of continued occupation until in 1908 the Government finally legitimized our presence there by granting us annual-use permits on some 280,000 acres of our lands.

Yet these permits have provided only a new means of harassment. For example, the Forest Service, who administers part of our permit, lets others onto a portion of our original permit even while we were still using it. The Park Service will not permit us to store water for our animals on their portions of our permit. Neither the Park Service nor the Forest Service will allow us to live in our old houses there. The Park Service has physically driven our families from Park Service land and destroyed our homes there. We have sacred places and burial grounds there as well – we cannot protect them when they are on land that belongs to someone else.

For 66 years we have endured this. It is unjust and unnecessary to do so any longer.

The Congress has come to feel the same way. In March, 1973, Senator Barry Goldwater introduced S1296 to expand our reservation and the Grand Canyon National Park. Rep. Morris Udall sponsored the measure in the House of Representatives.

The House of Representatives on October 10 passed S1296 with provisions to return to us 185,000 acres of our use area in federal trust title, and to reserve a further 95,000 acres for our guaranteed use in perpetuity. Support for this measure has been nationwide, and has come from newspapers, environmental groups, many Congressmen, and the President himself.

This measure must now go to a Senate-House conference committee to iron out differences in the House version of S1296, and the version passed by the Senate September 23, 1973. The conference report must then be ratified by both Houses of Congress. Time is short. Congress will reconvene November 18 and adjourn by Christmas. This will be our last, best chance.

Now, however, with S1296 on the verge of acceptance, a small but powerful group of environmental spokesmen is mounting a massive publicity campaign to stop Congress from returning any land at all to us. They say our land belongs to them.

We are hurt and confused by their opposition. We have always treated our homeland with far greater care than the agencies who have controlled it for the past century, yet these people are saying we want to exploit and spoil our land. We havespecifically asked Congress to prohibit all abuse by setting environmental standards onthe area, and they have done so.

Some of these people have bought national advertisements calling us "cigar store Indians" and calling us the real threat to the Grand Canyon. Now their campaign is confusing Congress. Some Congressmen have been persuaded our home must be protected – from us. They have begun delaying tactics to keep S1296 from final approval in the limited time left to us.

We need your help now. We have done everything we can do. Three generations of our people have been appealing to Congress and the nation for 66 years. We have spent a large part of our meager financial resources sending our people to Washington to get this far.

What we need you to do is simply this: send a note to *your own Congressman and Senators,* and also to:

The Hon. Henry M. Jackson, Chairman
Committee on Interior and Insular Affairs
United States Senate
Washington, D.C. 20510

The Hon. Morris K. Udall
United States House of Representatives
Washington, D.C. 20515

Just tell them to *act now* to accept the House-passed version of S1296 before adjournment. That's all. It could save us. May your days be long and happy.

The Havasupai People
c/o Canyon Shawods
Supai, Arizona

Helping the Prophecies

FRIENDS: Like many non-Indians, I had some knowledge of what happened in this country in the early years, but felt that it didn't concern me. But I have come to realize that what concerns some, concerns all. Since, I have immersed myself in history books and contemporary writings – it is an unbelievable horror story, and in this "enlightened" time, it hasn't changed much, has it?

I stand up on the hill where I live and look out at the beautiful vista of a tidal stream where soft-shelled clams are to be had for the digging, blue crabs in late summer, mussels tucked into marshes, plants plentiful – milkweed, beach peas, bayberry; trees, rabbits, racoons, etc. Then going across the marsh and across the beach, the great ocean holding within her so much life.

And I wonder – what were the people like? Was this their paradise? Did they venture into the massive surf? The sea is sometimes ominous, always breathtaking. So many questions.

I fear that in the end, they were made to go, as others in this area, to the country's first reservation in Mashpee.

I have had dreams for many years now of surviving some catastrophe with some of my own people, and going forward to live a simple life, tribally, where the Earth, our Mother, is respected and appreciated. My dreams and the Indian prophecies coincide and my life is gradually changing toward that goal.

Barbara Carns
East Orleans, Massachusetts

The Vanished American

FRIENDS: This year, Waterbury, Connecticut, celebrated its 300th anniversary. It is an old milltown of predominantly (white) Irish-Italian Catholic population. On Ethnic Pride Day, I came down to the green expecting to see a display of the Red People's contributions to Waterbury history and culture – there was not so much as a mention in passing of Indian people, or that Indians ever lived (or live) in Waterbury.

There were Italians, Irish, Black, Puerto Ricans, Swedish, Lithuanian, Greek, French Canadian, Yankee English – but no brothers and sisters. I know for a fact there are over a hundred Indian people in Waterbury (according to the U.S. Census.) Are the Indian people in Waterbury asleep or vanished? I would like to know.

Shona Jackson
32 Willow St.
Waterbury, Connecticut 06710

Stenographers, Attention!

BROTHERS&SISTERS: Our organization was founded in 1971 by the Indian men here. The goals and objectives are to retain our heritage, and at the same time try to better our understanding and educate ourselves in as many ways as possible.

We are in great need of general office supplies: onion skin copy paper, carbon paper, ditto masters (black), manila envelopes (medium and large). Our funds are completely exhausted.

We find it necessary to become dependent upon our brothers and sisters if we are to survive as a group in here. Thank you – your assistance (no matter how small) will be deeply appreciated.

American Indian Heritage Group
California Mens Colony
San Luis Obispo, California 93401

Thanks, Senator

FRIENDS: I would like to take this opportunity to tell you how much I appreciate your newspaper. I find your coverage to be concise and to the point and very much in line with my own thinking. I make it a point to read AKWESASNE NOTES in order to keep in touch with the views of the Indian people.

If you find there is ever any way that I can help, please let me know. Wishing you continued success, I am, sincerely,

James Abourezk
United States Senate
Washington, D.C.

Maoris Greet Us

NOTES: Greetings to all brothers. AKWESASNE NOTES is truly a fantastic paper.

In our country, Aotearoa, race is becoming more of an issue, as in other places in the world. Maoris are becoming more interested in their culture and heritage. Nationalism is growing in our young, who are standing up for what they believe in, which results in neo-tribalism, i.e., militant gangs mixing it with the Queens Constabulary.

Items of direct interest in your [Late Spring] edition were "The Right to be Different," "Americanism is the Answer", "Chilean War Games," "Alaskan Pipeline," also on the South American Indians.

Noel Harris
Wellington, New Zealand

Beryl Blue Spruce, nationally-known physician and health advocate, passed on suddenly December 30, and was buried at his native San Juan Pueblo in the traditional manner prescribed for distinguished men. He had been a special assistant to the director of the Indian Health Service, and was just 39 years of age. He frequently saw that NOTES was sent to elementary schools where he lived. His main work was to recruit native youth into health professions, and a special scholarship fund for native medical students has been established c/o Dr. Jerry S. Bathke, 1033 Jefferson, N.E., Albuquerque, N.M. 87110. His community is saddened by the passing of this one who was known as Stse-ayang ("Waving Evergreens") and Shra-kah ("Snowfrost"). The new-fallen snow on his fresh grave was a blessing of the Creation and the safe-keeping of his spirit in the grateful memory of his people.

□

I was a year this autumn that Robert B. Jim, a leader for the Yakima People left us. He was buried in the traditional way of the Yakima People near the small community of White Swan. We recall how thousands attended the three-day-and-three-night Longhouse funeral service. To the beat of seven drums, accompanied by songs and with many dancers participating, Robert was accompanied on his way to join his people's ancestors.

□

Jimmy Sibbeston, who guided a government treaty-making party throughout the North West Territories in 1921, died at the age of 101 in Hay River, Feb. 10. His memories of the treaties helped in establishing native claims last year.

□

Edward L. Sherman, one of the few surviving members of the Paugusset Nation, passed on February 26th on the one-half-acre Trumbull Indian Reservation near Bridgeport, Connecticut. His nation now has about fifteen members – he was 85 years of age.

□

Hosteen Bichitty, a Diné man of medicine, passed into the Spirit World during his 105th year. He was well known for the last 75 years for his work in keeping his people in good health. He was a resident of Indian Wells, Arizona.

□

It was a year this autumn that Robert B. Jim, a leader for the Yakima People left illness. He was known as the most photographed Indian, for he was posed by thousands of tourists each year at Mount Rushmore National Monument. He was 74. His father and Crazy Horse were first cousins. Ben Black Elk was a successful rancher, and also was active in instilling pride in Indian culture. He is survived by his wife, Pretty Leaf. These are words of his for him to be remembered by, now that he is on the Long Journey:

"We who are Indians today live in a world of confusion. This is the issue: the confusion in our lives. We are comfortable in the Indian ways. But to get along in this world, the white man tells us that we cannot be what we were born to be. . . . Our young people today . . . do not really know who they are or where they belong. So they have no pride. Today there are Indians who are ashamed to be Indians. Believe me, this is so. . .

"We would like to be proud we are Indians, but . . . many schools for Indian children make them ashamed they are Indians . . . the schools forget these are Indian children. They don't recognize them as Indians, but treat them as though they were white children – this makes for failure, because it makes for confusion. And when the Indian history and Indian culture is ignored, it makes our children ashamed they are Indians.

"I started to school when I was seven years old. I couldn't speak a word of English. I had long hair that hung to my waist, and it was in four braids. When I made progress in school a braid was cut off to mark my progress . . .

"Martin Luther King said, 'I have a dream.' But we Indians didn't have to dream. We had the reality. This whole continent was a paradise. We didn't know what a dollar was, what coffee was or what whiskey was. We got along fine. Then the white man came. That was our downfall. Then persecution started. So, after many years, out of sorrow and misery, and because they were desperate, some of the Indians danced the Ghost Dance. . .

't was a prayer that they danced. The Indians were desperate. All they had, he great buffalo herds, everything was gone. Then someone came along and he old the Indians, 'I am the Messiah. I'm Christ.' He said the white man had sinned against him, and if we would do the Ghost Dance the white man would disappear and the buffalo and the old warriors would come back. We were to throw all our weapons away. This would happen with no warfare. We just had to dance and sing this Ghost Dance.

"They thought it would come, but it never came. Instead, we had the Massacre of Wounded Knee. They killed the men, women, and children. The sadness of this is still in our hearts. . .

"It was there . . . that a beautiful dream died in the snow – a people's dream."
– Ben Black Elk

Even the Postman

NOTES: I was so thrilled when we received the AKWESASNE NOTES after our order with your tobacco department. I vowed to save my issue as reference in the future, but then something happened to cause me to relinquish my first copy. A young Indian girl from Alaska came into the shop. I was sad to learn that she did not know very much about our people. I gave her my NOTES.

Today, our postman brought our NOTES, but before he left it, he had read the front page cover, "Who Eats Our Land?" so I feel now this place of business would like to keep a supply of NOTES for sale.

The people need this newspaper – all the people. They hunger for it. So for a starter, please send a packet of 20.

Alma Stenger
Coeur d'Alene Pipe Shop
Coeur d'Alene, Idaho

The Ex-Mohawk Mascot

NOTES: I was the author of the "Mohawk Mascot" letter. I wrote with no implications, but rather with extreme interest in what I thought was right.

I wish to thank your publication and the many thoughtful readers who wrote directly to me and through NOTES.

I have learned a great lesson from my inquiry about your customs, traditions and beliefs. My lesson was learned the hardway and therefore means more to me and shall never be forgotten.

I have given up my wish to become a mascot and shall instead turn my attention to informing the people of my organization of this subject and your nation.

Keep up the good work and your education of people about your nation through NOTES.

Robert G. Branyen II
Sparta, Michigan

So, Who Cares?

NOTES: In reference to Josie Chernan's letter [Late Spring edition] crediting George Mitchell with founding the American Indian Movement, one outstanding question entered my mind: "Why should Josie Chernan be concerned with who originated the American Indian Movement?"

For one to stand up and declare who did this and who did that is foolish, specially since our brothers stand accused at this very writing. Be aware of what is happening today, not yesterday.

Troy Vann Otis
POBox B-50968
Jamestown, California 95327

The 47 Cent Settlement

BROTHERS AND SISTERS: I wish to make a correction in regards to your Pit River article on page 38 of [Late Spring edition.] Contrary to the assertion that the "California Indians for a Fair Settlement" organization are seeking additional cash payments in our recent 64-million-acre settlement, the group in fact was organized to specifically oppose the settlement. It was the organization's goal to first reject the payment checks in order to bring the illegal seizure of the state from its native peoples to the court system, not the Claims Commission.

Secondly, it was hoped that land might be negotiated for in order to provide a base for the thousands of landless Indians in the State. Although our efforts to stop the payment failed, many Indians attended mass meetings and agreed to hold their payments in trust as a form of rejection of the settlement payment.

While we recognize the Pit River Indians as the leaders in our statewide land struggle, California Indians for a Fair Settlement included Indians from all tribes in California who wished to oppose the 47-cents-an-acre rip-off.

Ed Castillo
Berkeley, California

Keeping the Spark Alive

NOTES: I've been listening to the Congressional Judiciary Committee debates on television, and I noticed something that should interest you. I've been studying the effect of the Iroquois on the American Revolution for my honors paper in history. It seems to me that the ideological effects were as important as the military effects, i.e., the effect of the existence of the League of the Iroquois on the formation of the U.S. Government.

This influence showed up again in the impeachment hearings July 25. Senator Cohen of Maine was speaking, and he referred to the Congress as "The Keepers of the Flame" for the country. [The Onondaga Nation is referred to by the Iroquois as The Firekeepers.] He said that it is Congress' duty to keep the flame burning.

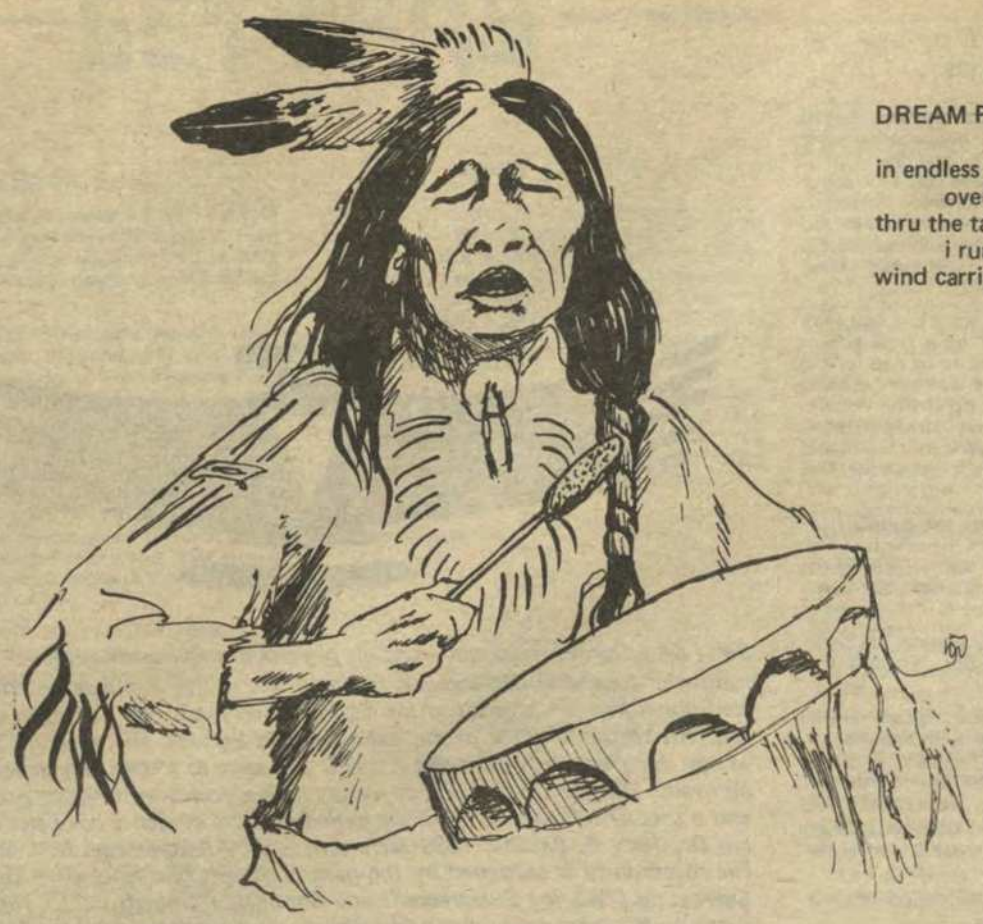
I hope that the Congress can do as well as the Onondaga Nation. So far, it hasn't looked likely.

Lilias Jones
Appleton, Wisconsin

All the Old Hunters

You think I look great
soaring in a Coke ad
but you also believe that
I might probably kidnap your baby
(is human meat so tasty)
when in fact who is robbing
whose nest
You don't approve of hunting
so you have slaughterhouses instead
Assemblyline death in vast warehouses
with hooks and sledgehammers and
blood gullies in the floor it's all so
civilized and so secure
caus stalking a deer in the snow in January
under crackling oak leaves still clinging to the branch
you would rather be home watching football
It's all so civilized and secure and most
important cheap
A good egg is a cheap egg
and you couldn't care less
and you don't want to know where
it's all coming from
Don't want to know bout the
chickens who never see the Sun
Ten in a cage built for chicks
Can't tough the floor just put out the eggs
and drop the manure
One with a wing twisted round in the wire
One's head stuck out between the bars
and stuck back in again
Thirty thousand all in a row
caus it's the cheapest way
Thunder Hand, Mountain Back
When I reach up on a tree
and claw my claim
most everyone takes heed of my domain
But you baited me down to nothing
Got to go many miles now
to catch the scent of my own
if more are to be born
All the old hunters are tame,
dead, locked up or hiding out
with a fat bounty on their extinction
Under a sky as blue as morning glories
amid the tumbleweeds tangled in barbed wire
It's all so quiet you can't even hear it
caus who will translate when the badger cries
In a barren hosed-down cage
I'm running figure eights
Been bumping into walls but
I don't feel any pain
Boredom takes up all my time
and frustration burns over me like acid
People aren't much interested
in a lopsided badger losing his fur
or his mind
You don't approve of hunting
except with snowmobiles and telescopic
sights and flash beams in the dark
Put a moose up with your bowling trophy
isn't that really what moose are for
You don't approve of hunting
except for fun
Little Red Riding Hood
made it perfectly clear
that I'm after your grandmother
and in 1630 I was worth
one penny in Massachusetts
but who lit a fire in my den
put rocks in my doorways
and burned my pups black
Today
a thousand falcons flew over the ridge
making patterns in the wind drifts
but where are the big-eyed children
to wonder where they came from
and ask why the squash has so many seeds
and wash wild carrots in the brook
while up in the aspen, kingfisher chortles to himself
Kingfisher's still here and so are the carrots
just hope all the kids aren't living in Coke ads
Under the old old rock pile
Grandpa porcupine hobble
slowly into his hole
He move so slow caus he's
old and not afraid
one eye blind wonder if he knows
he's a lucky one just go on
eating blackberries and bark

— Dolly Bird



DREAM POEM

in endless dreams
over rolling plains
thru the tall grass
i run.
wind carries me along

— Mike Rivers

I CAME TO THE FOOTHILLS . . .

today, to say goodbye to the land.
Settlers' cabins have come like a
plague of rabbits, have stripped
the foothills and prairies of their
name. The settlers say my people
must move West to a dry place where
Dust is God and even the spider does
not wish to weave his web.

We will go. Too many settlers have
come for us to win. We have already
fought like Mother Wolf. Some of us
rest easy in death, others — wives,
children, horses, are slowly starving.
Our dogs have been made into stew,
and our feet are the color of cold
wood ashes for we have no moccasins.

We will go. The peace of the foothills
and the prairies will be for the people
who know no peace. Here in the land
where medicine whispers came from the
grass and herbs, here in the ground
we thought would always keep our tribes
alive, will lie buried our hearts as
we learn to walk other ways, rip the
sunlight from our deerskin, forget the
names we gave our rivers, forget the
wild onion smell.

We will go. The rag-tag settlers will
keep some of our names. Ohio. Winnebago.
Menominee. Ouray. Kalishpel. May they
taste dust and feel cold winds each time
their tongues call the names that are ours.

— Fred Red Cloud

Yellowjacket
(for Coyote)

He rode into town upon a wild-eyed mountain horse
his hat pulled low, and down his back and shoulders
swaying and blowing in wind, long black and grey hair,
and no one saw the eyes, but even the soldiers felt
themselves being studied, maybe as coldly as the wind
blowing downriver,
man and horse, passing through town in silent watching
stirring along small puffs of dust and leaving behind
the strong odors of buckskin and cedar smoke,
"he carries a pistol besides that rifle," someone said,
and a young and respectful voice said, "a real bad one, too,
I hear."
an old man, a healer, who still dared perform the rituals
of curing, but in hiding from the eyes of soldier and missionary,
hummed and muttered an old mountain song under his breath
and whispered, "a spirit rides with him, and he carries
a whole tribe; he is what remains of a tribe, and we,
the ghosts."
"yes," said the sergeant, "another goddam fence has been
ripped down and dragged until tangled and useless. we give
the heathens a whole valley to live in, but it ain't good
enough for them. should round them up and shoot the lot,
like we was doing before; or at least the real bad ones,
especially Yellowjacket."
with a half a butchered steer tied to his horse
he approached his sister's tiny shack at the edge of town,
"the deer are moved to the high mountains like me, don't like
the smell of oiled leather and iron stoves. here is meat
of a kind best left for the buzzards, but meat at least
to eat."
another fence was torn down and three head of cattle
slaughtered, and the meat left at the edge of town, as a dare
to the hungry to take, and to eat and to live a while longer,
and a soldier, too, found with slit throat, a quick and
clean kill and no signs of cruelty or anger, a hunter killed by
the hunted.
and mounted, the soldiers rode through town
and the people watched and knew a longing,
a feeling for a something lost, just out of reach,
but not a one of them mounted a horse or reached for a rifle,
but merely watched and waited, ashamed to raise their eyes to
one another.
and they saw him, hatless and riding slowly, so slowly
into town, and the clean upriver mountain air wildly
blew his hair about, and as he passed he stared into
the eyes of each with no reproach. and each of them saw
the holes and streaming blood as he rode through
their midst.
and was never seen again, and the talking, too, stopped
when his sister said to a crowd of them, "don't speak
of him again, you don't deserve his name." and they
watched her saddle up and take her child
and turn her back upon her husband and home and never
look back,
and on that same evening, a few youngsters, too, saddled
up and for the first time in many seasons, openly
showed their rifles, and some old people joined them
and they rode upriver, up toward the clean air and
naked stone, and the soldiers saw them pass, and dared
not interfere.

— blue cloud
blind shady creek, calif
oct 26 1974

WITH MY CRAYONS

I draw myself so I can see
if I am you or really me.
I draw myself with purple eyes
and every other known disguise.
I draw myself so I can be
freer than the birds at sea.
I draw myself to take the place
of sitting here without a face.

— El Gilbert